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**RECORDS**  
**OF THE**  
**COURT OF ASSISTANTS**

**OF THE**  
**COLONY**

**MASSACHUSETTS, BAY**

*(Colony) Court of assistants*

**1630-1692**

**PRINTED UNDER THE SUPERVISION OF**

**JOHN NOBLE**

**CLERK OF THE SUPREME JUDICIAL COURT**

**VOL. I.**

**STANFORD LIBRARY**

**BOSTON**

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**1901**

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## PREFACE.

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UNDER the orders of the Board of Aldermen of the City of Boston, acting as County Commissioners of the County of Suffolk, passed 22d December, 1890, and 8th June, 1896, and approved by the Mayor, the Clerk of the Supreme Judicial Court was authorized to prepare, publish, and distribute all the Records of Courts held by the Governor and Assistants for the Colony of the Massachusetts Bay from 1630 to 1692, and known as the Records of the Court of Assistants. In accordance therewith this volume is now issued, covering the period from 1673 to 1692.

Although chronologically the record of the last twenty years of the Court of Assistants, it has been entitled Volume I., inasmuch as the original manuscript book from which it is printed is the only complete volume of its records now extant, and all that has preserved the specific form of an original record of the Court; while the remainder of its records, so far as they have been recovered or reproduced and are to be printed hereafter, is made up of various material drawn from various sources.

This single, original volume of records is now in the office of the Clerk of the Supreme Judicial Court. It is bound in vellum and is in a state of almost perfect preservation, although somewhat worn and battered by the use of more than two hundred years. The greater part of it is in the handwriting of Edward Rawson, whose peculiar chirography and methods have required especial care in the work of transcribing. It

gives a complete record of the Court from 3d March, 1673, to 22d April, 1686, and from 24th December, 1689, till the early part of the year 1692. It is designated by an original entry on the parchment cover as the *Secconde Booke of Reccords Begunne the 3d of March 1673.*

The earlier original records of the Court, except as hereinafter stated, are lost. The existence of a first book of records at different times in the seventeenth century is proved by copies found upon file made before 1673 and certified by Edward Rawson, Secretary, as taken "out of the Courts book of records," and is also further shown by the title entered upon the parchment cover of the volume just described. When or how the book disappeared is unknown, but it has been missing from a time beyond living memory, and even tradition has lost sight of it. All search for any trace of it has thus far been fruitless.

The volume now issued has been printed with as exact an adherence to the original as possible, and is a reproduction of it in every particular, so far as the difference between print and manuscript will allow. In its preparation, I have been favored with the assistance of William P. Upham, Esquire, which in every stage of the work has been invaluable, and to whose patience, accuracy, research, and knowledge the fullest acknowledgment is due.

Excepting the inter-charter period, there have been but three Courts established for the trial of causes, which have had supreme jurisdiction in judicial matters, during the whole period covered by the history of the Colony of the Massachusetts Bay, by that of the Province, and by that of the Commonwealth of Massachusetts, — namely, the Court of Assistants, under the Charter of the Governor and Company of the Massachusetts Bay in New England, granted in 1629; the Superior Court of



Judicature, under the Province Charter of 1692 ; and the Supreme Judicial Court, since the adoption of the Constitution in 1780.

During the early years of the Colony of the Massachusetts Bay, the powers and duties of the Governor and the Assistants sitting as a Court of Assistants for the trial of causes, civil and criminal, were not distinguished from the powers and duties of the same magistrates acting in the executive and legislative capacities under the Charter. From 1629 to 1641 their proceedings as Magistrates acting as a Court are entered in the same book, intermixed with the records of the General Court, — the whole forming the first volume of the Massachusetts Records, now in the State Archives.

The Court, as such, was as old as the Colony itself. The first record, which is headed with the formal title, "At a Court of Assistants," is that of the 18th of May, 1629. Its records, beginning on this side of the water with its first sitting, 23 August, 1630, and from that time on for some years, show the exercise by it of all the functions of government, — executive, legislative, and judicial.

The first record of the General Court appears under the date of 19 October, 1630, and thereafter, down to May, 1634, it met only four times, while more than thirty Courts of Assistants appear to have been held, their records occupying six-sevenths of the original pages of the record. The powers and functions of the Court sitting as a judicial tribunal appear to a certain extent in the records, — in such, at least, as have been preserved. They are also indicated by the laws relating to the inferior Courts ; the act of March, 1635-6, providing for these inferior Courts in the four counties to be "kept efly quarter" to "trie all civill causes, whereof the debt or damage shall not excedee X<sup>l</sup>, & all Criminal Causes not concerning life, member, or banishm<sup>t</sup>,"

with a right of "appeale to the nexte greate Quarter Court;" that of September, 1639, establishing "Speciall Courts" to be held quarterly by "such of the Magistrats as shall reside in or near to Boston, or any 5, 4, or 3, of them, the Governo<sup>r</sup> or Deputie to bee one," with substantially the powers of the County Courts; and by other acts establishing the Strangers' Court and other small Courts. Such Courts, though the Magistrates sat in them, were wholly distinct from the regular Courts of Assistants.

All Acts referring to the Court of Assistants merely recognize its existence and jurisdiction, and fix its terms of sitting: that of March, 1635-6, provides that "There shalbe foure greate Quarter Courts kept yearely att Boston, by the Gov<sup>r</sup>, & the rest of the Magistrates," fixing its terms; and that of October, 1649, reduces this number from four to two.

In the Laws of 1660 and those of 1672, the Chapter on Courts prescribes the terms of sitting, and states the powers of the Court of Assistants as follows:—

For the better administration of justice, & easing of the country of unnecessary charges and travaile,—It is Ordered by this Court and the Authority thereof, that there be two Courts of Assistants yearely kept at Boston by the Governour, Deputie Governour, and the rest of the Magistrates, on the first Tuesday of the first month, and on the first Tuesday of the seventh month, to heare and determine all and onely actions of appeale from inferiour Courts; all Causes of Divorce, all Capital and Criminal causes, extending to life, member or banishment. And that justice be not deferred, nor the Country needlessly charged, It shall be lawful for the Governour, or in his absence the Deputie Governour, (as they shall judge necessary), to call a Court of Assistants for the tryal of any Malefactour in Capital Causes.

This jurisdiction, thus recognized, appears to have existed in fact, uninterruptedly, from the beginning of the Colony.

The separation of the functions, — executive, legislative, and judicial, which resulted in the Court of Assistants becoming a purely judicial body, took place gradually.

The legislative function seems to have been surrendered by agreement amongst the Magistrates and Freemen at the General Court in May, 1634; while the executive function continued to be exercised by it occasionally for some years. It was not till 1650 that the Magistrates, sitting as a Council, had a separate record.

In its modes of procedure, the Court seems to have been governed by the general principles of the Common Law which the Colonists had brought with them from England; by the habits of legal practice which they had acquired as Englishmen, — some of them by special training; by the limitation in the Charter that no laws should be made repugnant to the laws of England, — as they construed that limitation; and by the guide of those only other sources of law which they recognized, — the Mosaic Code as interpreted by themselves, and the enactments of the General Court from time to time, with the advice, sometimes, of the Elders of the Churches.

From time to time, as it appears by the Colonial records, committees were appointed to make a draught of laws: 6 May, 1635, "of such Lawes as they shall judge needefull for the well ordering of this plantacon;" 25 May, 1636, "of lawes agreeable to the word of God, w<sup>ch</sup> may be the Fundamentalls of this Comonwealth;" while "in the meane tyme the Magistrates and their associates shall pcede in the Courts to heare & determine all causes according to the lawes nowe established, & where there is noe lawe, then as neere the lawe of God as they can;" — and so on at different times thereafter. Meantime the Magistrates seemed inclined to let laws "arise *pro re nata* upon occa-

sions," and thus be founded more upon accepted customs and practice than upon special enactments. In this connection the following extract from Winthrop's History of New England, (November, 1639), throws light upon the policy pursued by the founders of Massachusetts, and perhaps explains why no formal establishment of, and commission to, the Courts of Assistants was ever made:—

"The people had long desired a body of laws, and thought their condition very unsafe, while so much power rested in the discretion of magistrates. Divers attempts had been made at former courts, and the matter referred to some of the magistrates and some of the elders; but still it came to no effect; for, being committed to the care of many, whatsoever was done by some, was still disliked or neglected by others. At last it was referred to Mr. Cotton and Mr. Nathaniel Warde, etc., and each of them framed a model, which was presented to this general court, and by them committed to the governor and deputy and some others to consider of, and so prepare it for the court in the 3d month next. Two great reasons there were, which caused most of the magistrates and some of the elders not to be very forward in this matter. One was, want of sufficient experience of the nature and disposition of the people, considered with the condition of the country and other circumstances, which made them conceive that such laws would be fittest for us which should arise *pro re nata* upon occasions, etc., and so the laws of England and other states grew, and therefore the fundamental laws of England are called customs, *consuetudines*.

"2. For that it would professedly transgress the limits of our charter, which provide we shall make no laws repugnant to the laws of England, and that we were assured we must do. But to raise up laws by practice and custom had been no transgression; as in our church discipline, and in matters of marriage, to make a law that marriages should not be solemnized by ministers, is repugnant to the laws of England; but to bring it to a custom by practice for the magistrates to perform it, is no law made repugnant, etc. At length (to satisfy the people) it proceeded, and the two models were digested with divers alterations and additions, and abbreviated and sent to every town, to be considered of first by the magistrates and elders, and then to be published by the constables to all the people, that if any man should

think fit, that anything therein ought to be altered, he might acquaint some of the deputies therewith against the next court." (i.322.)

In further illustration of this subject I quote from a letter of William Pynchon to John Winthrop, some years later. This alludes also to the dealings of the Courts with private rights and controversies. In such matters the Court of Assistants would have had original jurisdiction in certain cases, and in others appellate jurisdiction.

"Springfeild this 9 of the 1 m. 1646.

"But how soeuer, their endeouors cannot but haue an ill construction; yet I thinke the Courte both of magistrates & deputies, should not turne of[f] all the particulars wherein they desyre a reformation, without making a right vse of so much of their position as doth iustly cale for reformation: for as we had the happinesse to be bredd & borne vnder such lawes for ciuill gouernment as I conceiue no nation hath better, so it should be our care, in thankfulness both to God & that state, to preserue & adhere to what euer lawes or customes they haue, except those that be contrary to God, & therein we must obey God & not man, & yet we haue liberty from the pattent to make what soeuer by lawes may tend to the good of this place: & I cannot but apprehend that your spirit lies this way, for I remember at oure first comminge, as soone as euer the people were diuided into seuerall plantations, you did presently nominate a conestable for each plantation, as the most common officers of the king's peace, & gaue them their oath in true substance as the conestables take it in England: likewise all controuersies about meum & tuum were tryed by juries, after the manner of England, & after a while grand juries were appointed, for further inquiry into such matter as might tend to the king's peace; & still thes courses, I thinke, are contin[ue], & thes courses are the best courses that this Commonwealth can take, if they ha[ue] free liberty to alter: as Fortescue in commendation of the lawes of England [to] my satisfaction doth shew. He giues good reasons for the necessary vse of juries for all tryalls, shewing that it is consonant to the word of God, & prefers it far aboute the course of justice in France, which is also of high respect." (4 Massachusetts Historical Collections, vi., 381.)

Codifications of the laws appear in the Body of Liberties in 1641, and in the Colonial Laws of 1660 and 1672. There was also a code of laws established in 1649, but no copy thereof is known to be in existence.

At the time when this volume begins (1673) the Court had become a purely judicial body, the Court of highest original jurisdiction in causes civil and criminal, and with a wide appellate jurisdiction,—a tribunal invested with all the attributes of a Court, equipped with all the necessary legal machinery for the due administration and execution of its powers and duties, and as such following established and recognized modes of practice and procedure. Its Bench was the Magistrates, a body characterized not so much by profound legal learning or judicial distinction, as by plain sense, a rugged idea of justice, integrity, and a standing derived from eminent public service in various capacities.

Volume I. of the Records of the Court of Assistants, now published, covers, as already stated, the period from 1673 to 1692.

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Volume II., now in preparation, and to be issued as soon as possible, will contain, in three Parts, a restoration of such portions of the earlier records of the Court as can be recovered.

Part I. will contain those portions of the first volume of the Records of Massachusetts in the State Archives which relate specially to the jurisdiction and proceedings of the Court of Assistants. This matter has already been included in Volume I. of the Records of the Governor and Company of the Massachusetts Bay in New England, 1628–1641, edited by Dr. Nathaniel B. Shurtleff. In the forthcoming volume the text will follow

the originals in the State Archives with strict adherence in every point, and be an exact reproduction in print.

Part II. will comprise a copy of a portion of the records of the Court of Assistants, extending from 28th October, 1641, to the 5th March, 1643—4, recently discovered in the Barlow Manuscript copy, or duplicate, of the records of the Colony of the Massachusetts Bay, which was bought for the Boston Public Library in 1890, and published in that year, by order of the City Council of Boston, by William H. Whitmore, Record Commissioner, in his Bibliographical Sketch of the Laws of the Massachusetts Colony. In printing these records there will be the same exact adherence to the original manuscript and the same strict conformity with it as in Part I.

These earlier records are not, however, as has been often assumed, the complete record of the doings of the Court, as such, during those periods. With scarcely an exception, such records as have thus come down to us in consecutive order contain only criminal matters or matters of public concern; there is no reference to any dealing by the Court with civil matters, like suits between individuals or questions of property, where the Court had, and often exercised, unquestioned jurisdiction. It is clear, that at the outset no record whatever of such last-mentioned proceedings was kept. Carrying out a suggestion of Lechford, made in 1639, the General Court, at its session in September of that year, enacted:—

“Whereas many iudgments have bene given in o<sup>r</sup> Courts, whereof no records are kept of the evidence & reasons whereupon the verdict & iudgment did passe, the records whereof being duely entered & kept would bee of good vse for president to posterity, & a releife to such as shall have just cause to have their causes reheard & reveiwed, it is therefore by this Court ordered & decreed that henceforward every iudgment, w<sup>th</sup> all the evidence,

bee recorded in a booke, to bee kept to posterity." (Massachusetts Colony Records, i.275.)

At the same time, provision was made for a record of probate proceedings and of births, marriages, and deaths. That such a book of records was in existence in 1643, and at times thereafter, is evident from certified copies in the Early Court Files.

A considerable collection of material showing the exercise of this civil jurisdiction during these periods, and making a more or less complete record of what was done, has been gathered, and will be presented in the next volume, to which further consideration of the matter is deferred.

In Part III., it will be attempted, so far as accessible material allows, to fill the gap between 1643 and 1673, a period of thirty years during which no continuous or consecutive record is to be found, and to reproduce the doings of the Court, so far as may be possible, by a careful and thorough investigation which has been made in every quarter where anything bearing upon the matter was likely to be found. It is designed to give all copies of its records during this period between 1643 and 1673, which could be found either in the Suffolk Court Files, where many have been preserved, in the State Archives, among the files of courts in any of the other older counties of the Commonwealth, or in any record office within or without the Commonwealth, or that could be obtained from contemporaneous history, or any other authoritative source, — all to be brought together and arranged chronologically.

If the execution of this plan shall be successfully carried out, it is hoped that a very considerable accumulation of matter for the study of the origin, development, and methods of procedure of this Colonial Court of ultimate resort and supreme jurisdic-



tion, — the predecessor of the Superior Court of Judicature and of the Supreme Judicial Court — will be presented in one view and form which may be of value in its relation to the history of the Commonwealth and to the history of its jurisprudence.

JOHN NOBLE.

SUPREME JUDICIAL COURT,  
OFFICE OF THE CLERK,  
BOSTON, 1 July, 1901.

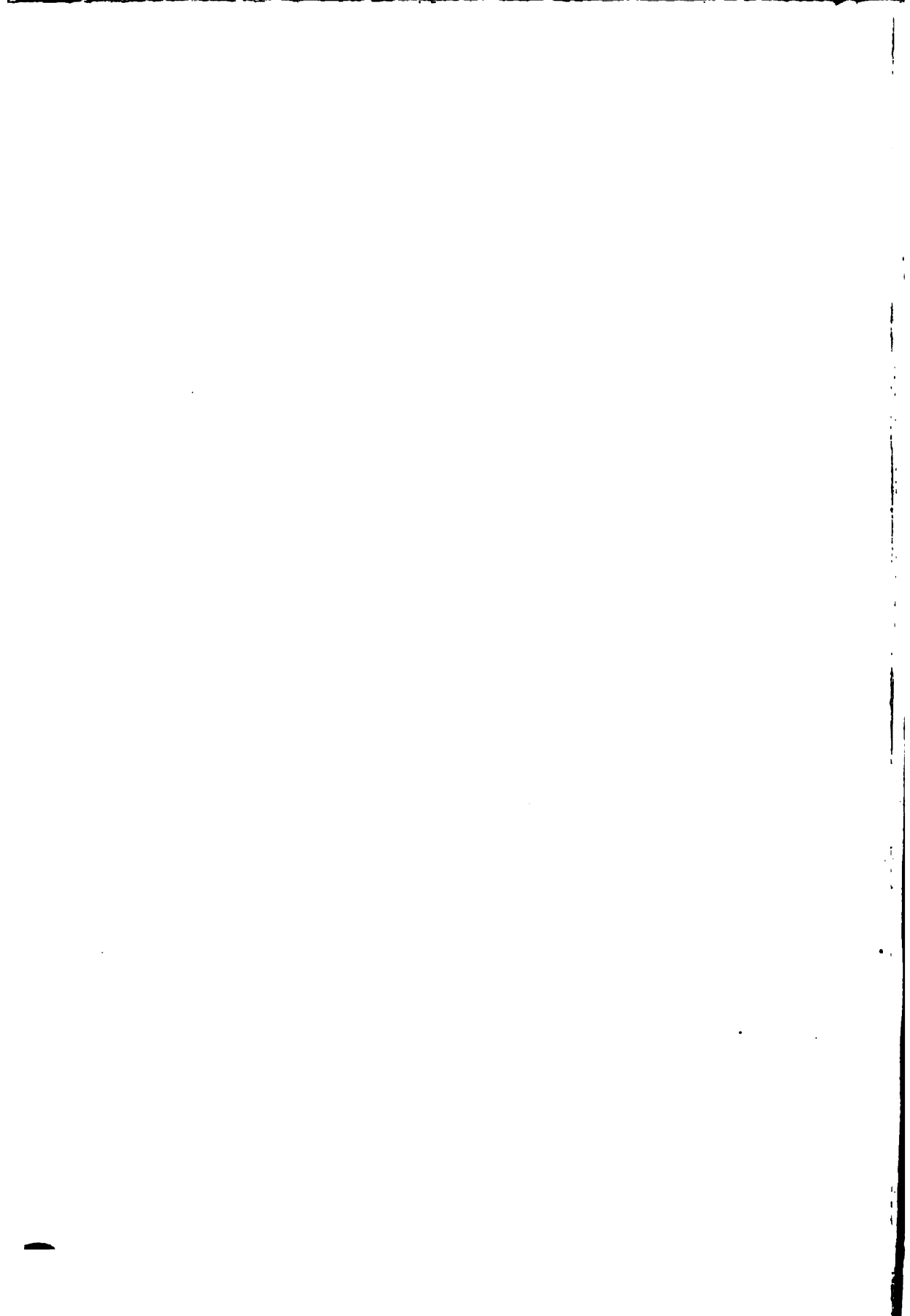


# **COURT OF ASSISTANTS.**

**RECORD 1673-1692.**

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**FROM THE ORIGINAL BOOK OF RECORDS IN THE  
CLERK'S OFFICE OF THE SUPREME  
JUDICIAL COURT.**



## EXPLANATION OF MARKS AND CHARACTERS.

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### MARKS.

A mark over a letter indicates an omission of one or more letters.

A caret ^ indicates one or more words omitted in the original.

Brackets [     ] indicate words or letters in the original which are illegible or doubtful or apparently erroneous.

Parallels ||     || enclose words interlined in the original.

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### CHARACTERS.

ff signifies ff or F.

n     “     ner, nor, or no.

p     “     par or per.

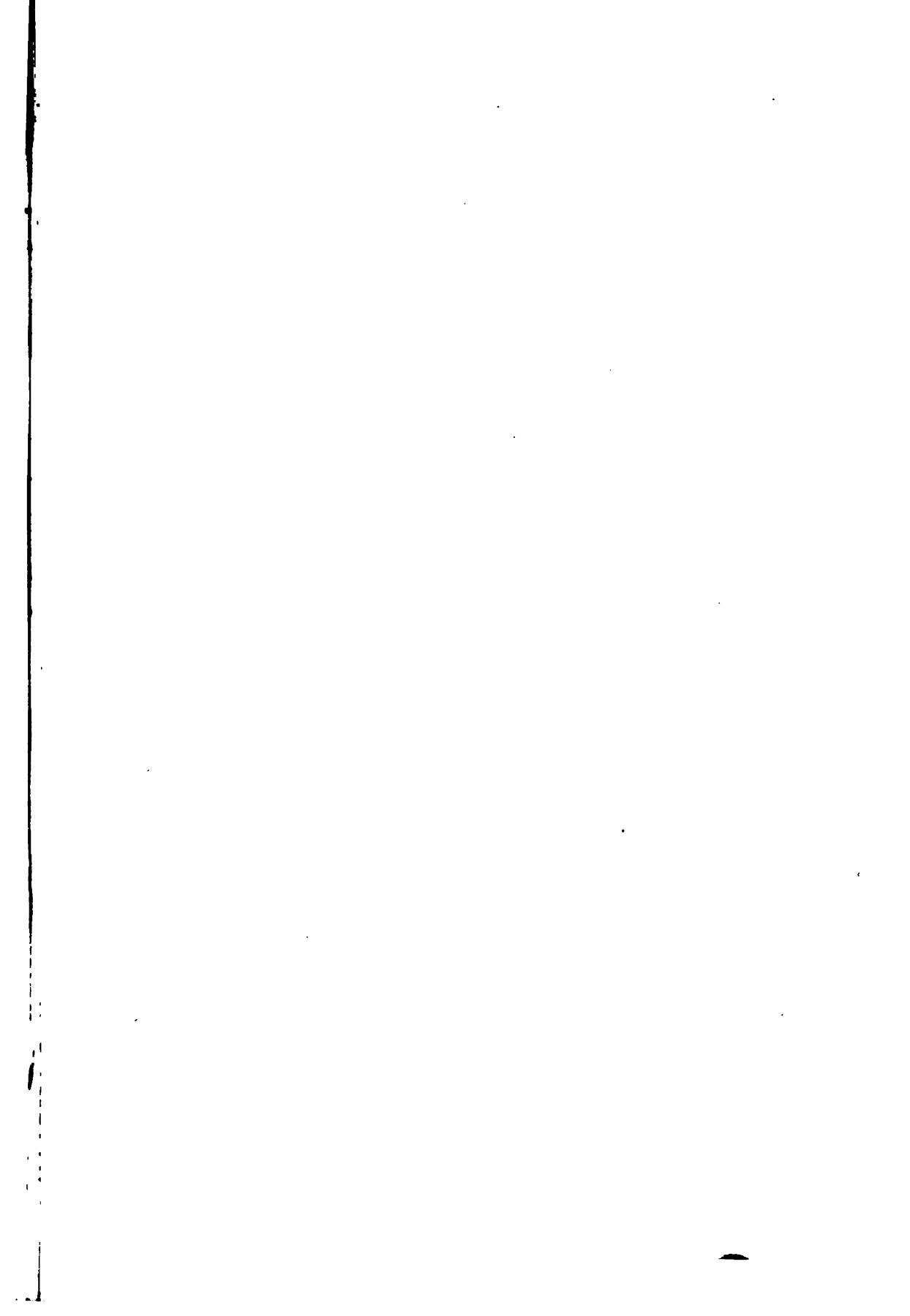
q     “     por or pro.

p     “     Per.

u     “     ver.

e     “     &c. (etc.)





1. 1. Court of Assistant Judges at Boston in New England this 3<sup>d</sup> of March 1673

Some plaintiffs as John Heyman & the rest of the jury who were defendants  
in action of Appeals from the verdict of the Jury in September on Appeal -  
list in the Jury which the # each had refused of Appeals & send us in that

it was read what said Heuman of July 27<sup>th</sup> 1894. Com. to the jury  
we also on first of the words of this Court the jury brought in there

1. They found aspirin in evidence of the law with compound a jury  
2. set in to get damage awarding to what they had got. Naturally might  
3. them. I believe even in some of them.

By the way, I am planning to write for the defendant but I don't want to allow the jury that power or liberty to write for me. I declare on oath that I will not do so.

the family will be made, we are on the way to reach the Redoubt. Costs of Curtis first permit to be taking his expenses

1. Lack plaintiff's agent's Bastard defendant in an action of  
re. from the defendant of the Com. Hous. Lat. Amb. 1280.

we are now in the hands of the  
"in his hand to be forfeited & we  
the plant is a good one for our East India Company."

... The judgment of the Com. of Louis. in Lombardy in October last Dr. ...  
... Park, plan h. f. ag. Joseph Barlos deff. dau. in an action of Hypothec

1. " Judgment of the County Court in Cambridge a tort & trespass relating to the premises of the County Court in Cambridge. 1872.



Clerk plaintiff at Joseph Bartlet defendant in an action of Appeal  
 the Judgment of the County Court in Cambridge in October 1888  
 was set aside. Attachment Court Judgment of Appeal set aside.  
 Evidence in the case produced by the defendant was taken & taken.  
 Plaintiff Defendant obliged & comforted in open Court out of the  
 defendant of the whole case that the defendant had acted as the  
 work of the defendant in the case. The defendant should now be held liable for so  
 as to damages should be paid to the plaintiff. The defendant was committed to gaol for  
 the debt in the case in which they found the plaintiff on the  
 merits of the case & on view of the former judgment of the  
 Court found for the plaintiff & the defendant.

in the case of plaintiff at the judgment of the County Court  
 in Cambridge last in respect to Henry Johnson's complaint.  
 in the County Court's Complaint of Appeal were set aside &  
 the case was ordered to be retried with a view to the plaintiff  
 and the defendant. The defendant was found the defendant  
 in the County Court's judgment of the County Court.

Plaintiff at Henry Johnson's defendant in an action of Appeal from the  
 County Court's judgment of the County Court in Cambridge.  
 the case was ordered to be retried with a view to the plaintiff  
 and the defendant. The defendant was found the defendant  
 in the County Court's judgment of the County Court.



# COURT OF ASSISTANTS

## [S]ECCOND BOOKE OF RECCO[RDS]

BEGUNNE THE 3<sup>D</sup> OF MARCH, 1673.

*[The title given above is written on the parchment cover. The first six leaves of the book are blank.]*

[1]

1673:

Att a Court of Assistants held at Boston in New England the 3<sup>d</sup> of march 1673

John Bonner plaintiffe ag<sup>t</sup> John Heyman & the rest of the Jury w<sup>th</sup> him deffend<sup>t</sup> in an action of Appeale from the virdict of the Jury in Septembe<sup>r</sup> last on Attajnt —

After the Jury<sup>s</sup> virdict the Attachm<sup>t</sup> Reasons of Appeale & evidences in that case was Read w<sup>th</sup> y<sup>e</sup> said Heyman & y<sup>e</sup> Jury<sup>s</sup> w<sup>th</sup> him Ans<sup>r</sup> Comitted to this Jury and are on file w<sup>th</sup> the reccords of this Court the Jury brought in their virdict they found a speciall virdict i e If the Law doeth Impower a Jury of twelve men to give damage according to what they Judge Rationally might be susteyned by the party Complayning then wee finde for the deffendants: but if the Lawe doth not allow the Jury that power or liberty then wee finde for the now plaintiffe. — The magis<sup>t</sup> declared on perversall of y<sup>e</sup> virdict ffor the deffendants. Costs of Courts five pounds three shilling<sup>s</sup> & sixpence. —

John Clarke plantiffe against Joseph Bartlet deffendant in an action of Appeale from the Judg-

present \*

J<sup>n</sup> Leueret [Esq<sup>r</sup> ]  
 Sam. Symonds Esq<sup>r</sup>  
 Simon Bradstreet  
 Daniel Gookin  
 Daniel Dennison  
 Richard Russell  
 Thomas Danforth  
 W<sup>m</sup> Hawthorne  
 Edward Tyng  
 W<sup>m</sup> Staughton  
 Thomas Clarke  
 — — —  
 persons returned  
 [for] service of the  
 Gr[ ]  
 and that were  
 swo[rne]  
 Capt J<sup>n</sup> Allen  
 Edmund Jack-  
 son [S]  
 Hugh Drury  
 Abel Porter  
 Rob<sup>t</sup> Walker  
 W<sup>m</sup> Dawes  
 Griffin Crafts  
 Robert Williams  
 Henry Bright  
 Joseph Taintor  
 Randall Nicholls  
 Richard Withington  
 James Mynott  
 Jonas Clarke  
 Thomas ffox  
 — — —

\* The edge of the first leaf is much worn.

ment of the County Court at Cambridge in octobe<sup>r</sup> last declaring his bond to be forfeited —

John Clarke plaintiff ag<sup>t</sup> Joseph Bartlet deffendant in an action of Appeale from the Judgment of the County Court in Cambridge in octobe<sup>r</sup> last: *er* —

Hugh Clarke plaintiff ag<sup>t</sup> Joseph Bartlet deffendant in an action of Appeale from the Judgment of the County Court in Cambridg in octobe<sup>r</sup> last declaring his bond to be forfeited *er* 1673:

Hugh Clarke plaintiff ag<sup>t</sup> Joseph Bartlet deffendant in an action of Appeale from the Judgment of the County Court in Cambridg in octobe<sup>r</sup> last [as] above The Attachments Courts Judgments Reasons of Appeale<sup>r</sup> & Ans<sup>r</sup> w<sup>th</sup> the evidences in the Case<sup>r</sup> produced being read & heard in these 4 actions both plaintiffs & deffendant Agred & Consented in open Court one w<sup>th</sup> another that the merrit of the whole Case that should haue binn heard & trjed at the last Court of Assistants in Septembe<sup>r</sup> should now be heard & as it fell so the Costs & Damages should be and so the Case was Comitted to the Jury who brought in their virdict they found for the plaintiff<sup>r</sup> on the whole merrit of the Case reuersion of the forme<sup>r</sup> Judgment & Costs of Courts five pounds fowerteen shillings & eight pence — — 1<sup>st</sup> Jur. —

Benjamin Gibbs plaintiffe ag<sup>t</sup> the Judgment or sentence of the County Court in Boston in January last in refferenc to Henry Ashtons Complaint — After the Courts Sentence Complaint & reasons of Appeale were read Comitted to the Jury w<sup>th</sup> the evidences in y<sup>e</sup> Case produced wch are on file w<sup>th</sup> the Reccoords of this Court the Jury brought in their virdict they found the Confirmation of the forme<sup>r</sup> County Courts Judgment & Costs of Courts — 2<sup>d</sup> Jur.

Benjamin Gibbs plaintiff ag<sup>t</sup> Henry Ashton deffend<sup>t</sup> in an action of Appeale from the Judgment of the last County Court in Boston as to the action of Revejw: After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> y<sup>e</sup> Reccoords of this Court the Jury brought in their virdict

persons return<sup>d</sup> to  
s[erve on] ye Jury  
for y<sup>e</sup> trjall of [ ]  
of Attaint & sworne  
M<sup>r</sup> W<sup>m</sup> Manning  
John ffreake  
John Heyward  
Edward Shippen  
Bartholmew Chelv.  
[ers]

Robert Seavor  
Samuel Gary  
J<sup>m</sup> Whitney Se[n]  
Richard Loudon  
Peter Tuffis  
Joseph Homes  
Tim<sup>r</sup> Foster  
Tho Langhor[ne]





had therefore means on the case. Opposite to the latter sentence &  
of Appellate & evidence of them produced & declared they found  
in favor of the former judgment five pounds money & costs  
and that he should be committed to Cambridge gaol for the same  
be per formed & New 1844.

Joseph Rock, adm'r Deceased to the State of N. York  
his wife plaintiff - against Thomas Clark, Defendant in an action of  
from the judgment of the said County Court in Boston & Cambridge  
to give possession. After the attachment lastly Judged  
of Appellate evidence in my case produced were examined  
by Jury & may be on file by the record of this Court in  
law also belonging to the Court & determine the question  
the defendant lost of County: this was the thing & his property.

Adm'r Tenison, in an action of Appellate from the judgment  
County Court relating to the said Clark refused to pay that  
concerning this action being called out and as the judge  
the defendant lost of County the Court & the thing & his property  
Thomas & Betty Ann Adams to John Patyn plaintiff & John  
Adm'r of the last County Court.

General Agents of Appellate & other  
said limited to the Agency & Commission  
the Agency being the same as the  
the same as the Agency & Commission





they found for the plaintiffe ffower pounds [&] Costs Daniel Tur[ell]  
 [ ] eight shillings & fower Richard Sha[rpe]  
 pence. [ ]

[2]

1673

[George Woo]d-ward  
 [Daniel Da]nison  
 [Jacob He]wens  
 [Thomas] Pearse  
 [Hump]hry Warren  
 — — —  
 [ ] Returned to  
 serve [on the] Jury  
 for trjalls [Appeales  
 of] life limbe e/r  
 [& swor]ne were =  
 [John] Woodmansey  
 [Daniel] Turrell  
 [Rich]ard Sharpe  
 [ ]ge May  
 [Samuel] Gary  
 [George] Mayo  
 [Gregor]y Cooke  
 [George] Wood-ward  
 [Daniel] Danison  
 [Jacob] Hewens  
 [T]homas Pearse  
 [J]ohn Watson  
 — — —  
 [Pers]ons Returned  
 to serve [on the] 2<sup>d</sup>  
 Jury for tryalls  
 [ ] Appeales for  
 life limbe e/r  
 [&] sworne were  
 [John] Winsley  
 [John] Heyward  
 [Edw]ard Shippen  
 [Ba]rtholmew Obel-  
 vers  
 [Robe]rt Seavor  
 [Jo]hn Whitney  
 Senr  
 [Robert] Harrington  
 [Ric]h. Louden  
 [Peter] Tuffis  
 [Jos]eph Homes  
 [Tim:] ffooster  
 [Tho.] Langborne

John Bonner plaintiffe ag<sup>t</sup> Henry Ashton deffend-  
 ant in an action of Appeale from the Judgment of the  
 County Court last in Boston — After the Attachment  
 Courts Judgment Reasons of Appeale and evidences  
 in the case produced were read Comitted to the Jury  
 & are remayning on file w<sup>th</sup> the Records of this Court  
 the Jury brought in their virdict they found for  
 the deffendant Confirmation of the forme<sup>r</sup> Judgment  
 & Costs of Courts: seventeen shillings & six pence  
 | besides y<sup>e</sup> 12<sup>s</sup> [ ] in all 29.6<sup>d</sup> | = 1<sup>st</sup> Jur.

Joseph Lowle plaintiffe ag<sup>t</sup> Thomas Skinner de-  
 fendant in an action of Appeale from the Judgment or  
 Sentenc of the County Court last in Boston — After  
 the Attachment Courts Judgment reasons of Appeale  
 & evidences in the Case produced were read Comitted  
 to the Jury and are on file w<sup>th</sup> the Reccords of this  
 Court the Jury brought in their virdict they found for  
 the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment &  
 Costs of Courts = 1<sup>st</sup> Jur.

Benanuel Bowe's plaintiff on Appeale from the  
 Judgment or sentence of the County Court held at charls  
 Towne in december last the Accon was Called the  
 plaintiff Referred himself to the Bench. Afte[r] the  
 magists had therefore heard the Case & pervsed  
 the Courts Sentence Reasons of Appeale & evidences  
 therein produced declared they found Confirmation  
 of the former Judgment five pounds mony & costs of  
 Courts and that he stands Comitted to Cambridge  
 prison till the sentence be performed = 1<sup>st</sup> Jury

exec. Iss<sup>d</sup> out 12 Sep:  
 1674  
 [Rock]e ag<sup>t</sup> Clarke

Joseph Rocke administrator to the estate of y<sup>e</sup>  
 late John Coggan & [Mar]tha his wife plaintiff ag<sup>t</sup>  
 Thomas Clarke deffendant in an action of Appeale



Reccords of this Court the Jury brought in their virdict they found a speciall virdict i e That In Case this deed of Gift from Theode<sup>r</sup> Atkinson se<sup>n</sup> to his children be authentick & good in law: then wee finde for the plantiffe that he haue the houses & lands sued for but if not Authentick e<sup>r</sup> then wee finde for y<sup>e</sup> deffendant Costs of Courts. The magistrates finde for y<sup>e</sup> deffendant costs of Courts thirty five shillings = 2<sup>d</sup> Jur

Joseph Ludden & James stuart plaintiffs on Appeale from the Judgment or sentence of the last County Court in Boston relating to the thirty pounds the Jury found against them for An W<sup>m</sup>s & Robert Pigget e<sup>r</sup> After the Attachm<sup>t</sup> Courts Judgment or sentenc w<sup>th</sup> y<sup>e</sup> Reasons of Appeale & evidences in the case produced were read Comitted to the Jury & are on file w<sup>th</sup> y<sup>e</sup> Reccords of this Court the Jury brought in their virdict they found for the plantiff<sup>s</sup> reuersion of the former Judgment = 1<sup>st</sup> Jur.

Ludden & Stuart  
appeal[ ] from sen-  
tence of y<sup>e</sup> Cou[Cour]

Joseph Dudson Richard wharton & John ffairweather plaintiffs against W<sup>m</sup> Darvall defendant in an action of Appeale from the Judgment of the last County Court in Boston = the action was Called the plaintiffs made default by their non Appearance when Called the Case was nonsuited =

Dudson e<sup>r</sup> ag<sup>t</sup> Dar-  
vall

Richard Thayer plaintiff ag<sup>t</sup> Roger Rose deffendant in an action of Appeale from the Judgment of the County Court in Boston in octobe<sup>r</sup> last = After the Attachment Courts Judgment Reasons of Appeale & evidences in the case produced were read Comitted to the Jury and remajne on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the Deffendant Costs of Courts thirty fowe<sup>r</sup> shillings = 2<sup>d</sup> Jur.

Thayer ag<sup>t</sup> Rose

Georg Martyn & susannah his wife plaintiff ag<sup>t</sup> Nathaniel Winsly & mary his wife defend<sup>u</sup> in an action of Appeale from the Judgment of the last County Court at Hampton this Accon was called y<sup>e</sup> deffend<sup>t</sup> objecting y<sup>e</sup> plaintiff had no<sup>t</sup> signed the Reasons of Appeale yet the Deffendant yeilded on the plaintiff promise to pay the deffend<sup>t</sup> costs of this Court to this day & so Hampton Costs wch was donn & so the Case proceeded after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of

Martyn ag<sup>t</sup> winsly

this Court The Jury brought in their virdict they found for the plaintiff there being no legall prooffe of Richard North<sup>e</sup> will that the estate the said North left be left to the disposall of the County Court there in Norfolk as the law provides & Costs of Courts five pounds one shilling & six pence

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Majo<sup>r</sup> Robt Pike plantiffe against Edward Goue deffendant in an action of Appeale from the Judgment of the County Court at Hampton — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the ~~deffendant Confirmation~~ || plantiffe Reuersion || of the former Judgment & one shilling damage & Costs of Courts six pounds seven shillings — 1<sup>st</sup> Jur \* —

miles Ag<sup>t</sup> Heyden

Experience miles plantiff ag<sup>t</sup> Ebenezar Heyden deffendant in an action of appeale from the Judgment of the Comissione's Court in Boston in december last — After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are remayning on file the Jury brought in their verdict they found for the deffendant confirmation of the forme<sup>r</sup> Judgment & Costs of Courts — twenty three shillings & six pence

2<sup>d</sup> Jur.Winsly Ag<sup>t</sup> Martyn

Nathaniel Winsly plantiffe ag<sup>t</sup> George Martyn deffendt in an accon of Appeale from the Judgment of the last County Court at Hampton After the Attachm<sup>t</sup> Courts Judgment reasons of appeale & evidences in the case produced were read Comitted to the Jury and are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plantiffe reuersion of the former Judgment & Costs of Courts — three pounds [fower] & 2d

2<sup>d</sup> Jury

Henry Roby & Nathaniel Boulter plantiffe ag<sup>t</sup> Robert Evins deffend<sup>t</sup> in an acc<sup>on</sup> of Appeale from the Judgment of the County Court at Hampton After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are

Roby & Boulter  
ag<sup>t</sup> Evins

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\* Probably an error for "2<sup>d</sup> Jur."

remaying on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts

2<sup>d</sup> Jur =

Henry Roby & Jn<sup>o</sup> stanion plaintiff ag<sup>t</sup> Edward Colcord deffendt in an action of Appeale from the Judgment of the County Court at Hampton — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plantiffe<sup>r</sup> Reuersion of the former Judgment & Costs of Courts fower pounds ten <sup>l</sup> & ten penc

Roby & Stanion  
ag<sup>t</sup> Boulter<sup>\*</sup>  
1<sup>st</sup> Jury

Edw. Colcord  
pretending all y<sup>e</sup>  
Copies were not  
sent ad he could  
say nothing =

Jn<sup>o</sup> Teudo<sup>r</sup> Assignee of Joseph Dell Assigne of Jn<sup>o</sup> Smith plaintiff ag<sup>t</sup> W<sup>m</sup> Aglin deffend<sup>t</sup> in an action of Appeale from the Judgment of the Comissione's Court in Boston in January last After y<sup>e</sup> Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for y<sup>e</sup> defend<sup>t</sup> Confirmation of the former Judgment & Costs of Courts = fowrteen shillings

Tudor ag<sup>t</sup> Aglin  
1<sup>st</sup> Jur =

John Ryde<sup>r</sup> plantiffe ag<sup>t</sup> John Sharp deffendant in an action of Appeale from the Judgment of the County Court in Boston January last After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for y<sup>e</sup> plantiff reuersion of the forme<sup>r</sup> Judgment & Costs of Courts

Ryder ag<sup>t</sup> Sharpe  
2<sup>d</sup> Jur =

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John Samborne & Edward Colcord Attorney<sup>s</sup> for & on behalfe of the Toune of Hampton plaintiffs ag<sup>t</sup> [Daniel] Tilton deffendant in an action of Appeale from the Judgment of the County Court at Hampton — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are remaying on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict

Samborn & Colcord  
Ag<sup>t</sup> Tylton.  
2<sup>d</sup> Jur. =

\* Error of the Secretary for "Colcord."

they found for the plantiffe reuersion of the former Judgment ffifty shillings damage || & Costs of Courts foure ||(4)|| pounds 4<sup>s</sup> 6<sup>d</sup>.

Goue ag<sup>t</sup> ffouler  
2<sup>d</sup> Jur.

Edward Goue plantiffe as Assignee to phillip Greely ag<sup>t</sup> Samuel ffouler deffendant in an Ac<sup>on</sup> of Appeale from the Judgment of the County Court at Hampton — After the Attachment Courts Judgment reasons of Appeale & euidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts = fiuety fiue shillings & six pene

Pecke ag<sup>t</sup> Lanton  
2<sup>d</sup> Jur.

Thomas Pecke plantiff ag<sup>t</sup> Henry Lanton deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court in octobe<sup>r</sup> last in Boston — After the Attachment Courts Judgm<sup>t</sup> Reasons of Appeale & euidences in the Case produced were read Comitted to the Jury & remajne on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Costs of Courts =

Godfrey ag<sup>t</sup> Clark  
2<sup>d</sup> Jur

John Godfrey plantiff ag<sup>t</sup> Edward Clarke marshall Gen<sup>l</sup> Deputy deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court at Ipswich. After the Attachment Courts Judgment Reasons of Appeale & euidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Costs of Courts = three pounds seuen shillings & 4<sup>d</sup> =

Collecot ag<sup>t</sup> Pinchon  
2<sup>d</sup> Jur

Richard Collecot plantiffe ag<sup>t</sup> Jn<sup>o</sup> Pinchon Jun<sup>o</sup> Assignee of John Pinchon Sen<sup>r</sup> Esq<sup>r</sup> deffend<sup>t</sup> in an action of Appeale from the Judgment of y<sup>e</sup> last County Court in Boston — After y<sup>e</sup> Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & euidences in the Case produced were read Comitted to y<sup>e</sup> Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for y<sup>e</sup> deffendant Confirmation of y<sup>e</sup> forme<sup>r</sup> Judgment & Costs of Courts =

Knight ag<sup>t</sup> Brattle

Richard Knight shopkeep<sup>r</sup> plan<sup>t</sup> ag<sup>t</sup> Tho Brattle Attorney to Jn<sup>o</sup> Cutt of Portsmouth defend<sup>t</sup> in an action of Appeale from the Judgm<sup>t</sup> of the last County Court in Boston

After the Attachment Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the defend<sup>t</sup> Confirmation of the former Judgment & Costs of Courts — three pounds sixteen shillings —

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John Kejne plaintiff ag<sup>t</sup> Nathaniel Piper defend-  
ant in an action of Appeale from the Judgment of  
the County Court at Ipswich — After the Attachment Courts Judg-  
ment Reasons of Appeale & evidences in the Case produced were read  
Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the  
Jury brought in their virdict they found for the plaintiff the abate-  
ment of fuety shillings of the forme<sup>r</sup> Judgment & the Costs of this  
Court — wch in all came to five pounds one shillings \* & six pence to be  
deducted out of y<sup>e</sup> form<sup>r</sup> Judgm<sup>t</sup> & costs wch was eleven pounds nine  
shillings —

Keyne ag<sup>t</sup> Piper  
1<sup>st</sup> Jur

Joseph Smith plaintiff on Appeale from the  
Judgment of the County Court at Boston — After the  
Courts Judgment Reasons of Appeale and evidences  
in the Case produced were read Comitted to the Jury and are on file  
the Jury brought in their virdict they found for the Appellant reuersion  
of the forme<sup>r</sup> Judgment —

Smith<sup>s</sup> Judgm<sup>t</sup>  
reQuest  
1<sup>st</sup> Jur=

Timothy Batt plantiffe ag<sup>t</sup> Joseph Seuerans  
deffendant in an action of Appeal from the Judgment  
of the County Court at Hampton After the Attach-  
ment Courts Judgment Reasons of Appeale and  
evidences in the Case produced were read Comitted to  
the Jury and are on file w<sup>th</sup> the Reccords of this  
Court the Jury brought in their virdict they found for the plaintiff  
reuersion of the forme<sup>r</sup> Judgment & Costs of Courts three pounds  
fueteen shillings & ten pence —

Batt ag<sup>t</sup> Seuerans  
1<sup>st</sup> Jur  
execution Issued out  
5 Dec 74, for 3<sup>l</sup> 15<sup>s</sup>  
10 Costs & dd to mr  
norman y<sup>e</sup> was his  
Attorney & came in  
his name for it =

Jonathan Shoare plaintiff ag<sup>t</sup> Tmothy Yale deffendant in an action  
of Appeale from the Judgment of the County Court in Boston octobe<sup>r</sup>  
last After the Attachment was Read this Case was dismist on both  
partjes Appearing in Court & owning that they were Agreed —

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\* Error in the record for "shilling."

Ruth Read being Comitted to prison & brought to the barr to  
 Answer for that hauing binn aboue fowe' yeares in  
 Ruth Reads sen- England absent from hir husband and bringing w<sup>th</sup>  
 tence. hir a child of About two yeares old Affirming that  
 she received it at Brandford in England that Augustin Lyndon who  
 chandging his name to John Rogers & herselfe by the name of  
 Rebeckah Rogers as she also Affirmed betweene whom seuerall  
 letters wickedly (as if man & wife, had passed between them which  
 are on file, and that John Rogers told hir the childs name was John  
 Rogers, and most Impudently returning to these parts Imposing the  
 sajd child on hir husband W<sup>m</sup> Read The Court sentenct the sajd Ruth  
 11 M<sup>ch</sup> 1673 Read that named herself Rebeckah Rogers if found in  
 this Colony two month' after this date that shee  
 stands in the markt place on a stoole for one hower w<sup>th</sup> a paper on hir  
 breast w<sup>th</sup> y<sup>e</sup> Inscription THVS I STAND FOR MY ADVLTEROVS  
 AND WHORISH CARRIAGE and that on a lecture day nex<sup>t</sup> after  
 the lecture and then be seuerely whipt w<sup>th</sup> thirty stripes —

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1673

Benjamin Goad being found Guilty of Bestiallity by y<sup>e</sup> Grand  
 Jury — was Brought to the barr and was Indicted by the name of  
 Benjami Goad of Roxbury in New England for that he not hauing the  
 feare of God before his eyes being instigated by the the Divill did on  
 the seventh day of february last past in the Afternoone the sun being  
 two howe's high Comitt the vnnatural & horrid act of Beastiallitje on a  
 mare in the highway or field Contrary to the peace of ou<sup>r</sup> Soueraigne  
 Lord the King his Croune & Dignitie the lawes of  
 Benja Goads In- God and of this Jurisdiction — to wch Indictment  
 dictm<sup>t</sup> holding vp his hand at the barr he pleaded not Guilty  
 sajd he would be trjed by God & the Countrje making no exception  
 ag<sup>t</sup> any of the Jury the case proceeded and after the evidences in the  
 Case produced ag<sup>t</sup> him were read Comitted to the Jury & are on file  
 w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict i e a  
 speciall virdict If the prisoners confession ag<sup>t</sup> himself vpon his first  
 app<sup>h</sup>ention & examination before his trjall togethe<sup>r</sup> w<sup>th</sup> one evidence  
 be sufficient to a legall conviction, then wee find him Guilty according  
 to Indictment, othe<sup>r</sup>wise no<sup>t</sup> legally guilty of the fact but of a most  
 horrid attempt of Beastiallity, w<sup>ch</sup> wee leaue to the  
 his Sentenc determination of the Honored Court — The magis<sup>tr</sup> on  
 the pervsall of this virdict they declared they found him Capitolly



Guilty The Goūne' proceeded to sentenc him i e That yo<sup>r</sup> shall \*  
returne from y<sup>e</sup> place (y<sup>e</sup> barr) to the place from whence yo<sup>r</sup> † Came &  
from thence to the place of execution & there hang till yow be dead =  
And that the mare yow abused before your execution in yo<sup>r</sup> sight shall  
be knockt on y<sup>e</sup> head. =

It was also Ordered that the sajd Prisoner Con- On Courts Adjourn  
demmed to dye should be executed on the fifth day 13 m<sup>th</sup>  
next Come fortnight being the second day of April his execution  
next after the lecture & y<sup>t</sup> the Secretary Issue out his warrants  
seasonably to the marshall Generall to see & order the same as in other  
cases wch was donn Accordingly as by y<sup>e</sup> m'shalls Return on file =

In the Case of Anna Edmunds Complained on Anna Edmunds  
by Samuell Bennet & his wife on suspition of witch- Account discharged =  
craft After the Court had heard all the evidences produced against  
her the Court declared that they saw no Ground to fix any charge  
against her & so dismiss hir The Court also Ordered that Samuel  
Bennet defray and pay the charges of the wittnesses in y<sup>e</sup> case = thirty  
shillings & ffes:

In the Case of John & Samuel Bennet bound Jn<sup>r</sup> & Sam Bennet  
ouer to this Court that the sajd John & Sarah Ben- find e<sup>r</sup> =  
net & Elljnor squire shall Appeare before this Court to Answer for the  
great neglect of Alice wilson & the son of the sajd Alice wch might  
occasion their deaths and for burying the child in an obscure and  
clandestine manner in the Garden of the sajd Samuel Bennet The  
Court hauing considered of the evidences in the case produced Ordered  
that the sajd John Bennet & Samuell in behalf of his wife e<sup>r</sup> shall  
sattisfy & pay the Constables bill of charges by him layd out for  
phisick diet e<sup>r</sup> on y<sup>e</sup> sajd Alice the sune of forty  
six shillings & six penc & y<sup>e</sup> sd W<sup>m</sup> Edmonds & Anna  
Edmonds their wittnesses & charges wch comes to: Samuel Townsend  
thirty two shillings & ffes of Court = execution Issued out  
for 46: 6: & dd to m<sup>r</sup>  
[a]loyd =

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1673

In Answer to y<sup>e</sup> order of the Generall Court 7 m<sup>th</sup> 73  
october 1673 relating to the Inhabitants of y<sup>e</sup> East- p<sup>sent</sup> y<sup>e</sup>  
Goūnor

\* "He should" changed to "yo<sup>r</sup> shall."† "He" changed to "yo<sup>r</sup>."

Dep<sup>t</sup> Go<sup>d</sup> ward Kenebecke *or* The Go<sup>d</sup>no<sup>r</sup> & magis<sup>ts</sup> present  
 m<sup>r</sup> Treasurer Ordered That Thomas Humphrys be constable at  
 m<sup>r</sup> Danforth Kennebeck for this yeare Robert Gamon Constable of  
 m<sup>r</sup> Tynge Capenawagen & Damerills Coue John Dillon con-  
 m<sup>r</sup> Clarke stable of monhegin and Edward Arrowsmith constable for Pemaquid  
 also for y<sup>e</sup> yeare =

Ans<sup>r</sup> to Aluin In Ans<sup>r</sup> to the petico<sup>n</sup> of Aluin child in behalf  
 Childs petico<sup>n</sup> of his Correspondents m<sup>r</sup>chants in Lexbon \* concerned  
 in y<sup>e</sup> ship Antonio & Goods *or* The Court ordered that the secretary  
 Issue out warrant for majo<sup>r</sup> Nicholas Shapleigh to Come & appeare  
 before this Court now sitting y<sup>e</sup> 11<sup>th</sup> Instant at nine of y<sup>e</sup> clocke.

Georg Cole & other At this Court the Constable of Boston made his  
 Quakers Admonisht returne of his warant that he on the Lords day last  
*or* in time of publick excercise found in the house of  
 Nicholas moulder certeine Quake's as Georg Cole speaking to them  
 y<sup>t</sup> were present as Nicho moulder & christian his wife steven Hussey  
 David flogg John Somes Joshua Buffam Ann Gillam martha Amy  
 Elipl[am] stratten & Hester Dew contrary to our law The Court sent  
 for them they Appeared It being declard to them y<sup>t</sup> their meeting  
 was contrary to our Lawe *or* the Court ordered them as the law directs  
 to be all admonish<sup>d</sup> the Go<sup>d</sup>no<sup>r</sup> Admonish<sup>d</sup> them Accordingly & they  
 were told the law would be too hard for them & must if they fell into  
 y<sup>e</sup> like transgression expect y<sup>e</sup> execution thereof

Charge ag<sup>t</sup> m<sup>r</sup> Isac Addington was Appointed to Implead  
 Nicholas Shapleigh maj<sup>r</sup> shapleigh & draw vp a charg ag<sup>t</sup> him majo<sup>r</sup>  
 Nicholas Shapleigh being sumoned to Appeare at this Court this 11<sup>th</sup>  
 Instant at nine of y<sup>e</sup> clocke in the morning to Ans<sup>r</sup> what should be layd  
 aganst him as relating to the Criminall part of his bond Given into  
 this court at the tyme he was Called three times but Appeared not his  
 sue<sup>ty</sup> Appearing Alleadged the badnes of the weather affirming they  
 had sent the warrant & expected him howery: in the afternoone he  
 made his Appearance and desired the liberty of his trial by a Jury  
 & entred his Action m<sup>r</sup> Isack Addington also Appeared & presented a  
 charge against him which was publicly read after wch the said  
 Nicholas Shapleigh Owned and confessed that the mentioned seaman  
 w<sup>m</sup> fforrest Alexand<sup>r</sup> wilson *or* ~~the mentioned seamen~~ were in his  
 warehouse and that out of foollish pitty to them he suffered them to

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\* Error in the record for "Lisbon."

be there that he was su<sup>r</sup>prised *et*: After y<sup>e</sup> Declaration & evidences & pleas in the Case produced were read Co<sup>m</sup>itted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found the sajd Nicholas shapleigh convicted of the three first articles exhibbited against him & vehemently suspitious of being Guilty of the fowerth — Nicholas Shapleigh being Convicted by the virdict of the Jury y<sup>e</sup> vnder the pretence of buying 1<sup>st</sup>ly Did receive & Conceale Goods pirattically & ffelloniously obtained by w<sup>m</sup> fforrest & his Complices in the ship Antonio of Lizborne amounting to one hundred pounds or vpwards yeilding no valluable Consideration for the same —

2<sup>ly</sup> And that he did clandestinely entertheyne Conceale & hide away in his ware house w<sup>m</sup> fforrest Allexander wilson & John Smith Capitall offenders having

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their hands in ffelloniously & pirattically seizing & possessing themselves of the ship Antonjo and Goods on the high sea<sup>l</sup> dispossessing the right master merchant & othe<sup>r</sup>s exposing them to the hazard of their liues (and that after to his knowledge) the sajd persons were detected for the same & pu<sup>s</sup>sued by Authority in order to their App<sup>r</sup>hension —

3<sup>ly</sup> And that he the sajd shapleigh did harbour majnteyne & order provissions for the sustenance of the sajd persons, during their concealment — all wch the Jury found him Guilty of

And further by the virdict of y<sup>e</sup> Jury rendred vnde<sup>r</sup> vehement suspicion of being Guilty of Prouiding ordering working an escape for, and in the night privately conveying away the aboue sajd three offend<sup>r</sup>s by all wch endeavoring to obstruct the free course of Justice against such Capitoll

Nicho Shapleigh's censure = find 500 *et*

offendo<sup>r</sup>s and thereby making himself an Abetter of them all wch hath occasioned great expense & charge to the Country to prosecute & bring such high offenders to their due tryall The Court to beare their due testimony against such high offences doe sentenc yow the sajd Nicholas shapleigh to pay as a fine to the Country five hundred pounds in money standing Co<sup>m</sup>itted till the sentenc be p<sup>r</sup>formed —

In Ans<sup>r</sup> to y<sup>e</sup> peticon of m<sup>r</sup> w<sup>m</sup> Darvall & m<sup>r</sup>. Isack melines It being put to the Question whither y<sup>e</sup> case should come to a tryall here in a Court of Admiralty. It was resolved on y<sup>e</sup> negative —

at y<sup>e</sup> Adjourn<sup>t</sup> [1] 3<sup>rd</sup> m<sup>th</sup> 1673.  
Ans<sup>r</sup> to m<sup>r</sup> Darvalls peticon  
no hearing

In Answer to the petition of Nicholas Shapleigh humbly desiring  
 this Court to favo<sup>r</sup> him w<sup>th</sup> y<sup>e</sup> Abatement of a considerable part of his fine & Alteration of the specie: his estate not being able to beare it The Court declares that on the petitioners payment of three hundred pounds to the Tresure<sup>r</sup> of the Country he shall be dischargd —

Nich Shapleighs  
 petition & fine  
 abated

In Ans<sup>r</sup> to y<sup>e</sup> petition of Benja Goad y<sup>e</sup> Court Grants his request libe<sup>r</sup>ty to Goe to meeting on y<sup>e</sup> lds day at Roxbury y<sup>e</sup> m<sup>sh</sup>all Gen<sup>ll</sup> or his deputy taking effectuall cours for his return to prison y<sup>e</sup> same day.

Benja Goad libe<sup>r</sup>ty  
 to goe to Roxbury  
 Cr =

This Court was Adjourned to the 14<sup>th</sup> Instant at eight of the clock in y<sup>e</sup> morning

14 of march 1673

The Court being mett The Go<sup>u</sup>no<sup>r</sup> declared that It was Agreed that the prisone<sup>r</sup> Condemned Benjamin Goad should be executed on the nex<sup>t</sup> fifth day fortnight being the second day of Aprill next presently after the lecture and that the secretary Issue out his warrant seasonably to the marshall Gen<sup>er</sup>all to see & order the same as in othe<sup>r</sup> cases — wch was donn Accordingly —

The Court adjourned themselves to the 23<sup>d</sup> of march 1673.

Ans<sup>r</sup> to m<sup>r</sup> Darvalls  
 petition & y<sup>e</sup>r Case  
 to be heard 10 Apr  
 74.

At w<sup>ch</sup> time the Court mett and In Ans<sup>r</sup> to the petition of m<sup>r</sup> w<sup>m</sup> Darvall and m<sup>r</sup> Isaac Melines ordered theire Case to be heard on fryday fortnight being the 10<sup>th</sup> of Aprill at nine of the clocke and that the Secretary Give notice to all the magis<sup>ts</sup> and partjes Concerned to Attend at y<sup>e</sup> time —

Letters to the seuerall magis<sup>ts</sup> to give them notice as to y<sup>e</sup> Courts adjournm<sup>t</sup> was sent accordingly & notice Giuen to the partjes Concerned.

from 3<sup>d</sup> March 1673

Amy wellen the Indictment being found ag<sup>t</sup> hir by the Grand jury was brought to y<sup>e</sup> barr Refusing to object | ag<sup>t</sup> | any of y<sup>e</sup> jury of trialls holding vp hir hand at y<sup>e</sup> barr was Indicted by y<sup>e</sup> name of Amy Wellen wife to Richard wellen for not hauing the feare of God before hir eyes did sometime[s] the last spring being w<sup>hin</sup> a twelve moneth being instigated by y<sup>e</sup> diuill comitt

Adultery w<sup>th</sup> Jn<sup>o</sup> Glandfeild of black point in the house of willjam Buttyn \* of black point Contrary to y<sup>e</sup> peace of our Soueraigne Lord his Croune & dignity the lawes of God & of this jurisdiction to wch Indictment she pleaded not guilty & put herself on trjall by God & the Country After y<sup>e</sup> Indictment & evidences in the Case produced ag<sup>t</sup> the prisoner at the barr were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Cour<sup>t</sup> The Jury found hir not Guilty — & so she was dismiss —

The Grand Jury finding the like bill ag<sup>t</sup> Jn<sup>o</sup> Glandfeild of black point he was alike tried for Comitting adultery w<sup>th</sup> Amy Wellen mutatis mutan[dis] & on hearing of all y<sup>e</sup> evidences the Jury found him not Guilty as above & he was [also] dismiss †

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Att the Adjournm<sup>t</sup> of the Court of Assistants from the 23<sup>d</sup> march 1673 to the 10<sup>th</sup> of Aprill 1674.

The Court mett at the time The Court enjoyed John Lowell on his bonds to Appeare before y<sup>e</sup> next County Court of Boston in Aprill to Ans<sup>r</sup> to what shall there be layd to his charge in relation to his holding a Correspondency w<sup>th</sup> the Dutch & y<sup>e</sup> like m<sup>r</sup> messmake<sup>r</sup> if he be sent for.

present  
Jn<sup>o</sup> Leffet Esq<sup>r</sup> Go<sup>vt</sup>  
Sam Symonds Esq<sup>r</sup>  
Dep<sup>t</sup> Go<sup>vt</sup>.  
Daniel Gookin  
Tho Danforth  
Edw. Tyng  
W<sup>m</sup> Staughton  
Tho: Clarke } Esq<sup>rs</sup>

Att this Court m<sup>r</sup> melynes & m<sup>r</sup> Darvall y<sup>t</sup> were attending on this Court for their tryall hauing deliuered in their Complaints ag<sup>t</sup> m<sup>r</sup> Dudson m<sup>r</sup> wharton m<sup>r</sup> Paige and m<sup>r</sup> faireweather both partjes were Called after much debate This Court Referr<sup>d</sup> the hearing of this case to the twenty eighth of may next at nine of the clock in the morning & y<sup>t</sup> the ship be not sent away hence till the case be heard — to wch time they Adjourned themselves —

Att y<sup>e</sup> Adjournment of the Court of Assistants held at Boston 28<sup>th</sup> may 1674. this Court Adjourned themselves from day to day to y<sup>e</sup> 6<sup>th</sup> June 1674. when mett declar<sup>d</sup> e<sup>r</sup>

The Court hauing heard & Considered the request of Joseph Dudson & Company pleading the

present  
Jn<sup>o</sup> Leffet Esq<sup>r</sup> Go<sup>vt</sup>  
Sam<sup>l</sup> Symonds Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>vt</sup>.  
Symon Bradstreet  
Dani Gookin.  
Dani Dennison  
Symon Willard  
Rich. Russell

\* Or Battyn.

† These last two paragraphs appear to have been written by the Secretary at a later date and in a blank space left at the foot of the page.

29 3mo 74  
 Tho. Danforth  
 W<sup>m</sup> Hathorn  
 J<sup>n</sup>s Pinchon  
 Edw. Tyng  
 W<sup>m</sup> Staughton  
 6 June 74  
 Thomas Clarke  
 . . . . .

meffid. y<sup>e</sup> Go<sup>v</sup>no<sup>r</sup>  
 & all y<sup>e</sup> magist<sup>r</sup>  
 declard & ordred y<sup>e</sup>  
 secretary to Return  
 all y<sup>e</sup> papers to y<sup>e</sup>  
 part[] each their  
 oune = vide day  
 booke =

benefit of the law of this Comonweale for the Judica-  
 tion of the ship expectation whereof Isaack Melynes  
 was Comande<sup>r</sup> by them lately seized at Nantucket &  
 brought into this Jurisdiction It appearing on the  
 hearing of the plea<sup>s</sup> & evidences presented in the  
 case that the ship was by them first carrjed into  
 plimouth Jurisdiction where on their request to the

Gouernment there for Judication the saj<sup>d</sup> Dudson & Company gaue  
 bond in a thousand pounds sterling that after the ship was fitted in  
 Boston then to give notice to the saj<sup>d</sup> meljnes & Company of the Port  
 to which he Intended to carry the saj<sup>d</sup> ship for trjall &c and when  
 there Arrived before the Go<sup>v</sup>no<sup>r</sup> of the place or court  
 of Admiralty there Constituted, to render a Just ac-  
 count of the Goods and that so those Concerned may  
 haue oppertunity to recouer their respective rights &  
 Interests. = This Court Considering the premisses doe  
 not Judg meet to give the saj<sup>d</sup> Dudson & Company  
 Judication of the saj<sup>d</sup> vessell; but doe refferr them  
 to the obse<sup>r</sup>vance of their bonds given to the Go<sup>v</sup>ment of Pljmouth  
 Colony =

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In Ans<sup>r</sup> to the petition of Nicholas Shapleigh The Court ordered  
 that on the peti<sup>t</sup>ion's giving such sufficient || & satisfactory || security  
 his engagement of his house & land so farr as it respects The Country  
 as to the criminall part shall be dischardged =

present  
 J<sup>n</sup>s Leffet Esq<sup>r</sup> Go<sup>v</sup>  
 Sam Symonds Esq<sup>r</sup>  
 Dep<sup>t</sup> Go<sup>v</sup>  
 Symon Bradstreet  
 Daniel Gookin  
 Daniel Denison  
 Symon willard  
 Richard Russell  
 Thomas Danforth  
 W<sup>m</sup> Hawthorne  
 J<sup>n</sup>s Pinchon  
 Edward Tyng  
 W<sup>m</sup> Staughton  
 . . . . .  
 person<sup>s</sup> returned to  
 serve on y<sup>e</sup> Grand  
 Jury & sworn were  
 . . . . .

Att A Court of Assistants held at Boston  
 y<sup>e</sup> 1<sup>st</sup> of September 1674 =  
 2<sup>d</sup> Jur Edward Goue plantiffe against majo<sup>r</sup>  
 Robe<sup>t</sup> Pike deffendant in an accon of  
 Appeale from the Judgment of the last County  
 Court at Salisbury = After the Attachment Courts  
 Judgment Reasons of Appeale & evidences in the  
 case produced were read Comitted to the Jury &  
 are remayning on file w<sup>th</sup> the Reccords of this  
 Court the Jury Brought in their virdict they  
 found for the deffendant Confirmation of the for-  
 mer Judgment & costs of Courts = || forty two  
 shillings & two pence costs granted 14<sup>s</sup> p y<sup>e</sup> Court

march 80/1 maj' [affirming] y<sup>e</sup> 1<sup>st</sup> execution was granted another dated the 23 octobe<sup>r</sup> 82 ||

John Sands plaintiff ag<sup>t</sup> Cap<sup>t</sup> Edward Hutchinson deffendant in an action of Appeale from the Judgment of the last County Court sitting in Boston — After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff Reuersion of the former Judgment and forty-two shillings damage & costs of courts fowe<sup>r</sup> pounds fowe<sup>te</sup>en shillings & sixpenc

James chase plantiff ag<sup>t</sup> m<sup>r</sup> John Whelewright as ffeoffee in trust to the wife and children of the late Robert Nanny deffendant in an action of Appeale from the Judgment of the last County Court at Salisbury The Accon was Called The plantiffe by his Attorney Appearing Ready to prosecute It being Affirmed the Accon was Agreed The Court Allowed y<sup>e</sup> plantiff to w<sup>th</sup>draw his Accon —

Joseph Rocke Adminstrator to the estate of y<sup>e</sup> late m<sup>r</sup> Jn<sup>o</sup> & m<sup>rs</sup> martha Coggan plantiff against Anthony stoddard Guardian to Thomas Robbinson = Deffendt in an action of Appeale from the Judgment of the last County Court in Boston — After the Attachment Courts Judgment reasons of Appeale & evidences in the case produced were read Comitted to the Jury & are remayning on file with the Reccords of this Court the Jury brought in their virdict they found for the plantiff reuersion of the former Judgment & Costs of Courts. =

Benjamin Gibbs plantiff against John Bonner & James Euerell Deffendants in an action of Appeale from the Judgment of the last County Court in Boston = After the Attachment Courts Judgment Reasons of Appeale & evidences in the case produced were read Comitted to the Jury & are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the Deffendant costs of Courts thirty fower shillings & eight pence

Left Joshua Scot-  
tow

John Blake  
Symon Lynde  
w<sup>m</sup> Taylor  
Jn<sup>o</sup> Conney  
Jn<sup>o</sup> Coolidge  
Ellis Baron  
Rob<sup>t</sup> Williams  
Thomas Weld  
Jn<sup>o</sup> Pelton se<sup>n</sup>.  
Timothy Mather  
Eljas Rowe  
Rich Sprague  
Justinian Holding  
Jn<sup>o</sup> Fuller  
— — —  
persons returned to  
serve on y<sup>e</sup> 1<sup>st</sup> Jury  
for trjalls of Ap-  
peales life e<sup>r</sup> &  
sworne were {  
— — — — —  
m<sup>r</sup> Anthony Cheeck-  
ley

Joseph Townsend  
Benjamin Batten  
Jn<sup>o</sup> Noyce  
Isaack Newell  
Nathaniel Brewer  
Tho Tollman Ju<sup>n</sup>  
Israel How  
Jn<sup>o</sup> Phillips  
w<sup>m</sup> Goddard  
James Bernard  
Pyam Blower  
Jn<sup>o</sup> Goue.  
— — — — —

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persons Returned to  
serve on y<sup>e</sup> 24 Jury  
for trjalls of Ap-  
pealls life & sworn  
were

— — — —  
Mr Richard Knight  
Joseph Swett  
Ephraim Turner  
Tho. Dewer  
Jn<sup>e</sup> Watson  
Rob<sup>t</sup> Pepper  
Obadiah Hawes  
Zekary Long  
W<sup>m</sup> Bond.  
Joseph Taintor  
Tho Broune  
W<sup>m</sup> Barrat  
— — — —

24 Jur

Zackariah Crispe plaintiffe ag<sup>t</sup> Jn<sup>e</sup>  
Joanes deffendant in an action of Appeale from the  
Judgment of the last County Court in Boston =  
After the Attachment Courts Judgment Reasons of  
Appeale & evidences in the case produced were read  
Comitted to the Jury and are remajning on file w<sup>th</sup> the  
Reccords of this Court the Jury brought in their  
virdict i e. a speciall virdict :

[blank]

The magis<sup>tr</sup> on pervsall of this virdict they de-  
clard for the deffendant & costs of courts

1<sup>st</sup> Jur

Benjamin Gibbs plaintiff ag<sup>t</sup> Jn<sup>e</sup> Bonner & James  
Euerell deffend<sup>t</sup> in an accon of Appeale from the Judgment of the  
last County Court in Boston & was on Reveyw. After the Attach-  
ment Courts Judgment Reasons of Appeale and evidences in the  
case produced were read Comitted to the Jury and are remajning  
on file w<sup>th</sup> the Reccords of this Court the Jury brought in their  
virdict they found for the deffendant costs of Courts = thirty fowr  
shillings & six pence

24 Jur

Sevy ag<sup>t</sup> Deering

Thomas Sevy plaintiff against Henry Deering  
deffend<sup>t</sup> in an action of Appeale from the Judgment  
of the last County Court in Portsmouth = After the Attachm<sup>t</sup> Courts  
Judgment Reasons of Appeale & evidences in the Case produced were  
read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court  
the Jury brought in their virdict they found for the plaintiff Reuersion  
of the former Judgment & costs of Courts = fferty six shillings & six  
pence

Colcord ag<sup>t</sup> Redman

24 Jur.

Edward Colcord plaintiffe against Jn<sup>e</sup> Redman  
deffendan<sup>t</sup> in a action of Appeale from the Judgment  
of the last County Court at Salisbury: the Case was called plaintiff  
& deffendant Appearing This Case properly belonging to the Court to  
determine The magis<sup>tr</sup> after hearing the parties & evidences w<sup>th</sup> the



Reasons & Courts Judgment determined for the plaintiff libe'ty to Reveyw & Costs of Courts

Edward Colcord plaintiff ag<sup>t</sup> X'ophe' Palmer deffendant in an Action of Appeale from the Judgment of the last County Court at Salisbury. After the Attachment Courts Judgment Reasons of Appeale & euidences in the Case produced were read Comitted to the Jury & are remayning on file w<sup>th</sup> the Reccords of y<sup>e</sup> Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts

2<sup>d</sup> Jur  
Colcord ag<sup>t</sup> Palmer  
exec Issued out 11  
M<sup>ch</sup> 74 dd to m<sup>r</sup>  
Norton of piscata[gr]  
for 52<sup>s</sup> = mony

Jn<sup>o</sup> Redman Attorney to w<sup>m</sup> Bacon & Thomas Cannida plaintiff against the Towne of Hampton or their Attorney Deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court at Salisbury — After the Attachment Courts Judgment Reasons of Appeale and euidences in the Case produced were read Comitted to the Jury and are Remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the former Judgment & Costs of Courts three pounds nine shillings & eight pence. —

Redman ag<sup>t</sup> Hampton  
2<sup>d</sup> Jur

Exec. Issued out for  
8<sup>g</sup>:8<sup>s</sup>:5<sup>d</sup> 7<sup>m</sup> 1674:  
E R S.

Rob<sup>t</sup> Sandford plaintiff ag<sup>t</sup> Nathaniel Putman deffend<sup>t</sup> in an action of Appeale from the Judgment of the last County Court in Salem After the Attachment Courts Judgment Reasons of Appeale & Euidences in the case produced were Read Comitted to the Jury and are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the former Judgment & costs of Courts

2<sup>d</sup> Jur  
Sandford ag<sup>t</sup> Putman

Isaac Griffyn Apprentice to Roge<sup>r</sup> Rose making Complaint to y<sup>e</sup> Court that his sajd master had not p<sup>r</sup>formd his couenants w<sup>th</sup> him to his great damage the Court vejwed the Indenture & vpon hearing both partjes It was consent<sup>d</sup> to by the sajd Rose that vpon the payment of three pounds mony to him by the sajd Griffyn he would release to him the remayning time of his Indenture Provided that he be acquitted & secured from any further demand from the sajd Griffyn w<sup>ch</sup> y<sup>e</sup> Gou<sup>r</sup>no<sup>r</sup> & magists<sup>ts</sup> approved of & ordered that they Give discharg[e] each to y<sup>e</sup> other past by y<sup>e</sup> [Court] E R S. Rog<sup>r</sup> Rose [ ed] in Court he had Rec<sup>d</sup> 3li mony of s<sup>d</sup> Griffyn

Ord<sup>r</sup> abt Isaac  
Griffin

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Batt ag<sup>t</sup> Harris  
1<sup>st</sup> Jur.

Paul Batt plaintiff ag<sup>t</sup> Jn<sup>o</sup> Harris deffend<sup>t</sup> in an Action of Appeale from the Comissione's Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the case produced were read Comitted to the Jury and are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the former Judgment & Costs of Courts twenty six shillings —

Bartlet ag<sup>t</sup> James:  
Legg [e<sup>r</sup>]  
1<sup>st</sup> Jur.

Robert Bartlet plaintiff ag<sup>t</sup> Erasmus James John Legg James Dennis and Nathaniel walton deffendts or either of them in behalfe of the Comons at marblehead in an Action of Appeale from the Judgment of the County Court last at Ipswich, — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read comitted to the Jury and are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff Reuersion of the former Judgment & Costs of Courts = execution of charges was suspended in both Cases till y<sup>e</sup> Adjourn<sup>t</sup> & Ge<sup>n</sup>ll Court.

Lattimore vsus  
Idem  
1<sup>st</sup> Jury

Xtophe<sup>r</sup> Lattimore plaintiff against Erasmus James Jn<sup>o</sup> Legg e<sup>r</sup> as before in Bartlets case — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the former Judgment & Costs of Courts. This Case & the othe<sup>r</sup> was by Consent ¶ & desire ¶ of parties refferred to the hearing & determination of the selectmen of Salem w<sup>th</sup> m<sup>r</sup> Thomas Laughton of Lynn and for that end major Hathorne is to Appoint time and place of meeting and all partjes concerned are to Attend the meetings & Giue in their plea<sup>s</sup> Accordingly and that their determination be returned under at least the major pte of their hands into the next Generall Court for their settlement thereof

Bishop ag<sup>t</sup> white

Samuell Bishop plantiffe ag<sup>t</sup> George White Deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court at Ipswich Tho Bishop Appearing in Court & hauing Appealled in behalfe of his brother Samuel Bishop Vnde<sup>t</sup>took in Court

to satisfis all damages that shall be recouered <sup>or</sup> After the attachmt Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the case produced were read Comitted to the Jury and are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for y<sup>e</sup> plantiffe reuision of the former Judgment as it is chanceried and three pounds fueteen shillings Additionall damages & Costs of Courts — Three pounds & eleven shillings The deffend<sup>t</sup> desiring a chancery the plantiff Gonn & not to be found The Court ordered a respit of y<sup>e</sup> execution till the 9 of october next to wch time this Court Adjourned themselues — [ \* & chanceried the damage Additionall to 40<sup>s</sup> only]

exec Issued out 5<sup>th</sup>  
novemb<sup>r</sup> 74 for 40<sup>s</sup>  
dam & (8<sup>th</sup> 11<sup>s</sup> costs  
in mony:) E R S

9 octobr 1674

Jn<sup>o</sup> Gold plantiff ag<sup>t</sup> Thomas Bishop deffendant in an Action of Appeale from the Judgment of the County Court at Ipswich — After the Attachmt Courts Judg<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant confirmation of the fformer Judg<sup>t</sup> & costs of Courts.

Gold ag<sup>t</sup> Blahop  
Judg<sup>t</sup> 25. 13<sup>s</sup>. 4  
Costs 2 13 8  

---

28. 7 0

exec. Issued out 10  
Sept<sup>r</sup>

In Ans<sup>r</sup> to a motion of w<sup>m</sup> Leathe<sup>r</sup>land in prison vpon execution libe<sup>r</sup>ty is Granted him w<sup>th</sup> his keeper to goe to the Ordinances of christ in Boston as also to vissit his sick wife w<sup>th</sup> his keeper he not lying out of of y<sup>e</sup> prison at any time one night — The like libe<sup>r</sup>ty is Granted to Henry Lauton as to willjam Leathe<sup>r</sup>land as to the 1<sup>st</sup> parte —

Ans<sup>r</sup> to w<sup>m</sup> Leath<sup>r</sup>.  
lands motion  
his & Henry Lau-  
tons Liberty =

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The Atkins plantiff ag<sup>t</sup> Ann Joy widdow deffendant in an action of Appeale from the Judgment of [blank] Court in Boston the

Atkins ag<sup>t</sup> Joy

This Accon was w<sup>th</sup>drawne by Consent of partjes & allowance of the Court.

Tom Indian being presented by the Grand Inquest & left to tryall was brought to the barr & there holding vp his hand was Indicted by the name of

Jurymen sworn as  
to To<sup>†</sup> tryall of  
Tom Indian || & his ||  
Indictmt

\* This with the marginal date added later by the Secretary.

† The Secretary evidently neglected to cancel the "To."

Mr. Rich Knight  
Joseph Taintor  
Ephraim Turner  
Tho [blank]  
J<sup>n</sup> Watson  
Zackary Long  
wot blompanow  
natow  
Sho Shannough  
Ahauton  
James Asanameset

his Sentence

Tom Indian for that yow not hauing the feare of God before yo<sup>r</sup> eyes & being Instigated by the Divill did on or about the 15<sup>th</sup> of June last Comitt a rape on the body of Sarah the wife of John Jempson an Indian forcing hir to vnlawfull Copulation w<sup>th</sup> you Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the King his Crowne and dignity the lawes of God & of this Jurisdiction To wch he pleaded not Guilty sajd he would be tryed by God & y<sup>e</sup> Country: a Jury of twelve men six English & six Indians against none of which he Objected who being Impannell & sworne After the euidences produced against him were read Comitted to the Jury & remajne on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found Tom Indian Guilty according to Indictment It being voated by the magis<sup>ts</sup> that the sajd Tom the Indian being found Guilty according to Indictment that he should dy for his offence And accordingly after the Gouverno<sup>r</sup> had Askt him why he being found Guilty sentenc of Death should not be pronounc ag<sup>t</sup> him The Go<sup>u</sup>no<sup>r</sup> proceeded & declared that he should Goe from the barr to the prison from whence he came & from thence to the place of execution & there hang till he be dead =

Warr<sup>s</sup> Issued out  
Accordingly 10: Sep<sup>r</sup>  
74 =

Joseph Blanchard  
Georg Grimes  
bonds to Appear at  
County Court at  
Cambridge =

Joseph Blanchard sonn to George Blanchard & George Grimes being bound ouer to this Court to Ans<sup>r</sup> what should be layd to their charge in relation to Coyning of base mony or putting it Away = After the Court had heard what they Could say for themselues The Court ordered them to be bound in twenty pounds apeece to y<sup>e</sup> Tresurer of y<sup>e</sup> Country on Condicon that they Appeare before the next County Court at Cambridg to Ans<sup>r</sup> what should be lajd ag<sup>t</sup> them in such respect and Accordingly the sajd Joseph Blanchard & George Grimes each for himself acknowledged himself respectively bound in twenty pounds apeece to Richard Russell Esq<sup>r</sup> Tresurer of the Country on this Con- dicon that they shall & will Appeare at the next County Court in Cam- bridg to Ans<sup>r</sup> what should be layd ag<sup>t</sup> them or either of them in such respect as above sajd =

Majo<sup>r</sup> | Ge<sup>n</sup> | Daniel Dennison took his oath as majo<sup>r</sup> Generall in open Court =

Att A meeting of the Goũno' & Council Assembled in Boston 4 Sep' 1674 A Day of publick Thanksgiving was Appointed wch was sent to the presse & printed —

Day of thanksgiving 24 Sep' 1674

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This Court was Adjourned to the 9<sup>th</sup> of octobe' next at eight of the clocke in the morning —

The Court of Assistants on their Adjournment mett at the time 9<sup>th</sup> october 74: — This Court Adjourned themselves from day to day the Generall Court being sitting to the 21<sup>th</sup> Instant octobe' 1674 then sitting as a Court of Admiralty. Att this Court Jonas Clarke Jun<sup>r</sup> m' of the Catch Hopewell entred his libell against Richard Starr & Joseph Tounesend requiring satisfaction for his said Catch to this day according to charter party — After all the evidences & pleas made in the Case by both plantiffe & deffendant & the Charte-party & all Read & Considered of The Court found for the plantiff and ordered the Deffendant to pay vnto the plantiffe ninety pounds mony damage & costs of this Court forty shillings w<sup>th</sup> the officers fees five shillings and that the ouno<sup>r</sup> of the said Catch to haue the freight home. —

present Jn<sup>r</sup> Leu-  
eret Esq<sup>r</sup> Go<sup>d</sup>  
Sam Symonds  
Esq<sup>r</sup> dept Go[u]  
Symon Bradstreet  
Daniel Gookin  
Daniel Dennison  
Symon Willard  
Rich<sup>d</sup> Russell  
Thomas Danforth  
W<sup>m</sup> Hathorne  
John Pyncheon  
Edward Tyng  
W<sup>m</sup> Staughton  
Thomas Clarke

Esq[ ]

Courts Judgment in  
Jonas Clarke Case  
ag<sup>t</sup> [Jos<sup>s</sup>] Starr & J<sup>r</sup>

John Weaver marriner & master of the ship Richard & mary of swansey being in prison was sent for and on hearing of all the evidences & pleas in the case produced he being Convicted of notorious lying falsswearing and profanes together with his wilfull neglecting his duty that the said ship was lost and sunck in merrimack Riuer on the 5<sup>th</sup> of September last his endeavoring by his false oath to haue procured the Seale of the Colony giving in false Information to the publick Notary to draw vp his protest to saue himself pretending his great losses of an estate therein which appeared not The Court on the whole, proceeded to censure the said John Weauer for his said lying & false swearing to be whipt with twenty stripes severely layd on or pay the sume of ten pounds in mony

Courts Judgment  
ag<sup>t</sup> Jn<sup>r</sup> Weauer.

\* Error in the record for "Richard."

together with the charges of the Court the sume of five pounds mony together with the charges of the witnesses and prosecution w<sup>th</sup> the officers fees y<sup>e</sup> eight witnesses were allowed twelve shilling apeece mony they discharging what they haue expended on y<sup>e</sup> Country<sup>e</sup> account here & there =

Courts Judgm<sup>t</sup> ag<sup>t</sup> The Court also proceeded to censure Edward  
Edw Thomas one of Thomas one of the marriners now in prison for his  
y<sup>e</sup> marriners belong- false oath to be whipt w<sup>th</sup> ten stripes seuerely layd  
ing to ship Rich<sup>d</sup> & one or pay the sume of forty shillings discharging  
Mary of Swansey = the office's fees standing Comitted till y<sup>e</sup> sentence be performed —

Ans<sup>r</sup> to Edw Col- In Ans<sup>r</sup> to the petition of Edward Colcord The  
cord pet'n Court ordered that the Tresurer satisfy & pay vnto  
the sajd Colcord the some of forty shillings more out of majo<sup>r</sup> shap-  
leighs fine when he Receives it =

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present  
Jn<sup>o</sup> Leueret Esq<sup>r</sup>  
God  
Sam Symonds Esq<sup>r</sup>  
deput<sup>y</sup> God  
Symon Bradstreet  
Daniel Gookin  
Daniel Dennison  
Rich<sup>d</sup> Russell  
Thomas Danforth  
W<sup>m</sup> Hawthorn  
Edward Tyng  
W<sup>m</sup> Staughton  
Thomas Clarke  
persons Returnd to  
serve on the Grand  
Jury & sworne:  
were  
— — —  
m<sup>r</sup> christopher Clarke  
Joshua Tyd  
Joseph Lynde  
Richard Bennet  
Thomas Smith  
Abell porter  
Sivester Evely  
John Wells  
Edward Morrice  
Amiel Weekes  
Enock Wisewall  
Jonas Clarke  
Samuel Andrews

Att a Court of Assistants held at Boston 2<sup>d</sup> of  
march 1674

1<sup>st</sup> Jur m<sup>r</sup> Joseph Belknap & Richard wharton  
Attorney<sup>s</sup> to & in behalfe of Nicholas Rice plain-  
tiffe in an Accon of Appeale from the virdict of  
the Jury & Courts Judgment in the County Court  
at Boston in January last ag<sup>t</sup> m<sup>r</sup> Jn<sup>o</sup> Oxenbridge  
James Allen Anthony stoddard & Humphry  
Davy trustee<sup>s</sup> & executo<sup>s</sup> to the last will & Testa-  
ment of Richard Bellingham Esq<sup>r</sup> deceased = After  
the Courts Judgment reasons of Appeale and evi-  
dences in the Case produced were read Comitted to  
the Jury & remajne on file w<sup>th</sup> the Reccords of this  
Court the Jury brought in their verdict they found  
for the plantiffs A reuersion of the former Judgment  
& Costs of Courts three pounds twelve shillings &  
ten pence : =

2<sup>d</sup> Jur Joseph Tounsend plantiff ag<sup>t</sup> Elias parkeman  
deffendant in an action of Appeale from the virdict of

the Jury & County Courts Judgment at Boston in october last After the Courts Judgment Attachment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & remajne on file w<sup>th</sup> the reccords of this Court the Jury brought in their virdict they found for the deffendant the Confirmation of the former virdict of the County Court at Boston & Costs of Courts.

W<sup>m</sup> Broune sen. of Salem merchant plaintiff ag<sup>t</sup> willjam Lethe<sup>l</sup>and deffendant in an Acton of Appeale from the virdict of the Jury & County Courts Judgment at Boston in octobe<sup>r</sup> last = After the Attachment virdict of the Jury Reasons of Appeale & evidences in the case produced were read Comitted to the Jury & remajne on file with the Reccords of this Court the Jury brought in their virdict they found for the plaintiff the reuersion of the former Judgment & Costs of Courts forty eight shillings =

Thomas Newman plaintiff in an acton of Appeale from the virdict of the Jury & County Courts Judgment in octobe<sup>r</sup> last against Jn<sup>o</sup> Smith merchant Attorney to George Smith merchant = After the virdict of the Jury Attachment Reasons of Appeale & evidences in the case produced were read Comitted to the Jury & c<sup>c</sup> the plaintiff & deffendant Appearing in Court (by Consent the plaintiff w<sup>th</sup>drew the acton): putting their differences relating to the sajd acton to Arbitration i e to the fynall Award of Capt Samuel Scarlet m<sup>r</sup> Peter lydget and m<sup>r</sup> John Richards or the majo<sup>r</sup> pte of them giving it in writting vnde<sup>r</sup> their hands by the first of Aprill || next || bearing the charges of law already expended each for himself & Acknowledged themselves bound in eight † hundred pounds each to other to stand to Abide by & performe the sajd Award so Given. x x & this was thus donn in open Court 5 march 1674 m<sup>r</sup> Richards to Appoint time & place of meeting || & each pty Concerned accordingly to Attend their

exec. for  
12. 9. 6  
Issued out  
9 June 75  
w<sup>th</sup> 5<sup>r</sup> ERS.  
addl: costs

Rich<sup>d</sup> Beers  
Henry Bright  
— — —  
they brought in their  
presentm<sup>ts</sup> & Indictm<sup>ts</sup>  
ag<sup>t</sup> Rob<sup>t</sup> Driver &  
Anna Negro: =  
— — —  
Jurymen Returnd  
to serve on the 1<sup>st</sup>  
Jury of tryalls for  
Appeales & for life  
limb & banishment  
= sworne

— — —  
m<sup>r</sup> W<sup>m</sup> Hilton  
Tho. Lord  
W<sup>m</sup> Davis  
Samuel Gore  
Thomas Edwards  
Thomas Walker  
Habbaeck Glouer  
Jn<sup>o</sup> Minot \*  
Roger Wellington  
Nathaniel Couldg  
Jn<sup>o</sup> Barnard  
Joseph Beamis  
— — —  
persons Returnd to  
serve on y<sup>e</sup> 2<sup>d</sup> Jury  
of Trjalls e<sup>r</sup> at y<sup>e</sup>  
Court  
sworne

— — —  
m<sup>r</sup> w<sup>m</sup> maning  
Daniel Daulson  
Edw wilson  
Jabez Tatman †  
Barnard Trot  
Jn<sup>o</sup> Scarlet  
Henry Kemble  
David Copp  
Jn<sup>o</sup> Pason  
James Bird  
W<sup>m</sup> Boardman sen  
James White =

\* Or Mynor.

† Or Tolman.

‡ This word changed from six to eight.

Concernes ¶ \* \* — as Attests Edw. Rawson secre<sup>t</sup>. all y<sup>r</sup> papers in y<sup>e</sup> case to be delivered vp to the ¶ partjes for the ¶ Arbitrators —

W<sup>m</sup> Rawson plaintiff ¶ ag<sup>t</sup> Habbacuk Glouer ¶ in an Ac<sup>o</sup>n of Appeale from the virdict of the Jury & Judgmt of the County Court in Boston in octobe<sup>r</sup> last After the Ac<sup>o</sup>n was Called both partjes Appeared & they both declaring they were Agreed the plantiffe w<sup>th</sup> the Courts Consent wi<sup>th</sup>drew his Ac<sup>o</sup>n —

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Bozoone Allen ag<sup>t</sup> Bozoone Allen plaintiff ag<sup>t</sup> m<sup>s</sup> Jennet whiple  
Jennet Whiple defendant in an Ac<sup>o</sup>n of Appeale from the Judgment of the last County Court at Ipswich. After the Attachment County Court of Ipswich Judgment reasons of Appeale & evidences in the case produced were read Comitted to the Jury and are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plantiffe — reuersion of the former Judgment & Costs of Courts seven pounds & ten pence. —

Rich<sup>d</sup> & Return Richard wayte & return wayte plantiffs ag<sup>t</sup> Jennet  
Wayte ag<sup>t</sup> Jennet whiple excecatrix to Thomas Dickinson<sup>s</sup> last will  
Whiple = deffend<sup>t</sup> in an action of Appeale from the virdict of the Jury & County Courts Judgm<sup>t</sup> at Ipswich — After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict reuersion of the former Judgm<sup>t</sup> & Costs of Courts = fowe<sup>r</sup> pounds eleven shillings —

Rawson ag<sup>t</sup> Billing W<sup>m</sup> Rawson plantiffe ag<sup>t</sup> Roger Billing deffend<sup>t</sup> in an Ac<sup>o</sup>n of Appeale from the virdict of the Jury & County Courts Judgm<sup>t</sup> in Boston in January last After the Attachm<sup>t</sup> Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the case produced were read Comitted to the Jury & are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgm<sup>t</sup> w<sup>th</sup> Costs of Courts nineteen shillings & one penny —

Taintor & ag<sup>t</sup> Joseph Taintor & Jn<sup>o</sup> whittacre Attorney<sup>s</sup> to m<sup>s</sup>  
chenree \* martha Ayres widdow plant ag<sup>t</sup> John Chenery

---

\* Intended for "Chenery."



deffend' in an action of Appeale from the virdict of the Jury & County Court<sup>t</sup> Judgm<sup>t</sup> at Cambridge After the Attachment Courts Judgm<sup>t</sup> reasons of Appeale & evidences in the Case were produced & Read Comitted to the Jury & are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in theire virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts = fifty six shillings one penny.

Samuel Legg plaintiff ag<sup>t</sup> Thomas Daus deffend' Legg Ag<sup>t</sup> Daus  
in an action of Appeale from the virdict of y<sup>e</sup> Jury & County Courts Judgm<sup>t</sup> in Boston october 1674 After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts forty fowe<sup>r</sup> shillings & eight pence =

Samuell Rouland plaintiff ag<sup>t</sup> Jn<sup>o</sup> Hobbs defend' Rouland ag<sup>t</sup> Hobbs  
5<sup>th</sup> to be p<sup>d</sup> in S[ecy]  
in an action of Appeale from the Judgment of the last County Court at Salem After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in a case produced were read Comitted to the Jury and are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment w<sup>th</sup> Costs of Courts fiuety fiue shillings & fowe<sup>r</sup> pence =

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Ensigne John Gold & Tho Baker plaintiffs ag<sup>t</sup> Gold & Baker ag<sup>t</sup>  
Putman  
Nathaniel Putman deffend' || in behalfe of the owne<sup>r</sup>  
of the Iron workes || e<sup>r</sup> in an Accon of Appeale from the virdict of the Jury & County Courts Judgment at Ipswich in septembe<sup>r</sup> last After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found That where trespas is sued for and prooved and no sune of damāges prooved yet if Costs of Court may be Given to the plantiffe then they found for the deffendant || a || Confirmation of the former Judgment and Costs of Courts if not wee finde for the plantiffe Costs of Courts = The Court on Consideration of this virdict reuers the former Judgm<sup>t</sup> & find for the present plaintiff<sup>s</sup> Costs of Courts fiue pounds seven shillings

& two pence to be p<sup>d</sup> not in money but in other pay as the Custome of that Court allowes —

Gifford ag<sup>t</sup> Hathorne      John Gifford plantiffe ag<sup>t</sup> John Hathorne deffend<sup>t</sup>  
in an action of Appeale from the virdict of the Jury  
& County Courts Judgment at Ipswich in Septembe<sup>r</sup> last — After the  
Attachment Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences in the  
Case produced were read Comitted to the Jury and are remayning on  
file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict  
they found for the plantiffe || a || reuersion of fforme<sup>r</sup> Judgment and  
Costs of Courts = fifty one shilling & fowe<sup>r</sup> pence —

Eliakim Hutchinson plantiff ag<sup>t</sup> John Payne deffendant in an  
action of Appeale from the virdict of the Jury & County Courts  
Judgm<sup>t</sup> in Boston in January last After the Attachment Courts Judg-  
ment Reasons of Appeale and evidences in the Case produced were  
read Comitted to the Jury and are remayning on file  
Hutchinson ag<sup>t</sup>      w<sup>th</sup> the Reccords of this Court the Jury brought in  
Payne      their virdict i e they found a speciall virdict i e.  
If the Collateral contract or Agreement betwixt m<sup>r</sup> Eljakim Hutchinson  
m<sup>r</sup> olliuer purchis & m<sup>r</sup> John Payne bearing date the thirtjeth of  
Janua<sup>y</sup> 1667: not prooved broaken doth according to law cut of or  
make voyd m<sup>r</sup> John Paynes obligation to said m<sup>r</sup> Hutchinson bearing  
date the 28<sup>th</sup> of Decembe<sup>r</sup> 1664 then wee finde for the now deffendant  
the Confirmation of the Judgment of the County Court at Boston &  
Costs of Courts But if m<sup>r</sup> John Paynes first obligation standeth in  
force according to Law then wee finde for the now Plantiffe the reuer-  
sion of the former Judgment of the Court Appealled from w<sup>th</sup> one  
hundred sixty nine pounds twelve shillings money according to obliga-  
tion by bill & Costs of Courts The Court or Bench on Consideration  
of this virdict declared they found for the deffend<sup>t</sup>.

Paul Batt plantiff ag<sup>t</sup> John Harris deffend<sup>t</sup> in an Action of  
Appeale from the virdict of the Jury & County Courts Judgment at  
Boston in January last After the Attachm<sup>t</sup> Courts Judgment Reasons  
of Appeale & evidences in the Case produced were read Comitted to  
the Jury & are remayning on file w<sup>th</sup> the Reccords of this Court the  
Jury brought in their virdict they found for the deffendant a Confirma-  
tion of the form<sup>r</sup> Judgment i e fiuteene shillings mony & Costs of  
Courts: twenty fowe<sup>r</sup> shillings & fowe<sup>r</sup> pence —

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Robert Orchard as sue'ty & Attorney to John Shakeley & Peter Jacobson plaintiff ag't Richard midlecot & John Willjams Attorneys to Samuel winslow deffend' in an action of Appeale from the virdict of the Jury & County Courts Judgment in octobe'r last the Accon was Called both partjes Appearing & the Case Agreed betweene them: The Court allowed the plaintiff libe'ty to w<sup>th</sup>draw his accon wch he did =

orchard c<sup>r</sup> ag'  
winslow c<sup>r</sup>

Samuel mighill & Elisabeth his wife & plaintiff ag't Jacob Toppan c<sup>r</sup> deffendant in an action of Appeale from the virdict of the Jury & County Courts Judgm't in Septembre last the Case was called the deffend' Appeared not the Case proceeded & After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in theire virdict they found for the plaintiff a Reuersion of the former Judgment & five pounds eight shillings damage w<sup>th</sup> Costs of Courts =

mighill ag' Toppan

Bozoone Allen was called before the Court to Ans' for his reflections declared in his Reasons of Appeale ag't one of the magistrates & County Court at Ipswich from whence he Appealed for which the Court fined him tenn pounds =

Bozoone Allen fined  
10<sup>li</sup>

In Ans' to the peticon of Bozoone Allen having Given in his Acknowledgm't of his offenc the Court sees cause to remitt the fine to forty shillings =

on his Peticon his  
fine remitted to 40<sup>s</sup>.

Anna Negro servant to m<sup>r</sup> Rebeckah Lynde widdow of charlsToune being Comitted to Prison for hauing a Bastard & being vnder sore suspition of making it away c<sup>r</sup> in orde'r to furthe'r tryall The Grand Jury found a bill of indictment ag't hir: she was brought to the Barr & there holding vp hir hand pleaded not Guilty put himself on God & the Country for hir tryall thô she had liberty yet objected not ag't any of the Jewry: was Indicted by the name of Anna Negro as aboue for not hauing the feare of God before hir eyes & being Instigated by the Divil did about the 14<sup>th</sup> of December last maliciously & wilfully murder an Infant child then borne of hir owne body Contrary to the peace of our Soueraigne

Anna Negro In-  
dictm't & sentence

Lord the King his Croune & dignity and the lawes of this Jurisdiction the Jury went out & brought in their virdict they found the sajd Anna Negro Guilty of hauing a Bastard child & privately conveyed it away. The Court Considering of this virdict sentenct the sajd Anna Negro to stand on the Gallowes w<sup>th</sup> a Roape fastened about hir necke to the Gallowes for one hower and thence to be tyed to & whip<sup>d</sup> at the Carts Tayle to the prison w<sup>th</sup> thirty stripes & so comitted to the prison there to lye for one moneth and then to be Conveyed by the marshall Generall to charlsTowne & there on the lecture day to be alike tyed to & whipt w<sup>th</sup> thirty stripes & then on hir m<sup>n</sup> paying the charges of the tryall & prison she is dischargd —

Robe<sup>t</sup> Driver scotch man being Comitted to prison (hauing fled for murdering his m<sup>r</sup>: Robe<sup>t</sup> willjams of Piscataqua fisherman) in order to his tryall was brought to the Barr the Grand jury hauing presented him & Indicted him he holding vp his hand at the barr pleaded not Guilty put himself on his triall by God and the Country hauing his liberty to object against any of the Jury Impannelled he objecting not was Indicted by the name of Robert Driver late Apprentice & servant to the late Robert Willjams for not having the ffeare of God before his eyes & being

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Driver Indictm<sup>t</sup> & Instigated by the Diuil in or about the 10<sup>th</sup> of  
sentenc of Death = february last together w<sup>th</sup> Nicholas favo<sup>r</sup>\* then yo<sup>r</sup> fellow servant did maliciously and w<sup>th</sup> wicked hands murder your † then master Robe<sup>t</sup> willjams or did abett Consent vnto, & Conceale the sajd murderers & villanous Act Contrary to the peace of our Soueraigne Lord the King his Croune & Dignity the lawes of God & this Jurisdiction — he hauing pleaded not Guilty: Afte<sup>r</sup> the Jury had perused their euident they brought in their virdict they found him Guilty The Court vnanimously Agreed that sentenc of Death should be pronouncet ag<sup>t</sup> him accordingly. The Go<sup>u</sup>no<sup>r</sup> proceed. yow Robert Driuer hauing binn found Guilty as aboue are to Goe from henc to y<sup>e</sup> place from whenc yow Came & from thence to the place of execution & there to hang by y<sup>e</sup> neck till yow be dead. God haue mercy on thy Soule —

mary Sanders at  
liberty to marry &c  
=

In Ans<sup>r</sup> to the peti<sup>ti</sup>on of mary Sande's humbly  
desiring a legall divorcement from hir husband w<sup>m</sup>

\* Or favo<sup>r</sup>.

† "Their" changed to "your."

Sande's who is married to another woman in London The Court on pervsall of the evidences Daniel webb stephen Swasy & phillip English Judged it meet to declare the peticone' to be at liberty from hir former husband w<sup>m</sup> Sande's —

In Ans' to the petition of mary Haukins humbly Ans' to mary Haw-  
kins petition  
Imploring the Courts favou' to remitt to hir hir seccond punishment This Court Judgeth it meet w<sup>th</sup> the Consent of the County Court to Grant hir request & remitts her seccond punishment ordering the keeper of the prison to dismiss hir from the prison & set hir at libe'ty —

majo' Thomas Clarke is Appointed w<sup>th</sup> the secretary to allow of the bills of Costs this Court.

The Grand Jury was Called againe and they mary Parsons pre-  
sented & indicted  
for witchcraft =  
pervsing seuerall evidences sent doune from the County Court at North Hampton relating to mary Parsons the wife of Joseph Parson, they presenting an Indictment against hir on suspicion of witchcraft leaving hir to further trjall The Court Ordered hir Comittment to the prison in Boston there to remaine & be kept in orde' to hir furthe' tryall

Paul Batt was Called for to Ans' for his reflec- Paul Batts admoni-  
con =  
tions declared in his reasons of Appeale. the sajd Paul Bat presenting his petiçon declaring his hopes for the future to be better Advised The Court past his offenc by ordering him to be Admonisht wch was donn :

In Ans' to the peticon of Ezekiel ffogg in relation Ans' to Eze: ffoggs  
petiçon  
to some libe'ty *er* The Court declares that when the petiçone' hath honestly payd his debts he may be at his libe'ty alto-  
gether —

This Court is Adjourned to the 13<sup>th</sup> of may next Courts Adjourn' &  
order to send for y<sup>e</sup>  
witnesses ag' mary  
Parsons =  
at 10 of the clock in the morning It is ordered that the Secretary Issue out his warrants for such & so many of the wittnesses as once w<sup>th</sup>in a moneth m' Danforth m' Tinge & majo' Clark shall w<sup>th</sup> the Secret. on their pervsall determine to be necessary and that a letter be writt to majo' Pynchon to Accomodate y' Affaire Relating to mary Parsons

In Ans<sup>r</sup> to Cap<sup>t</sup> Hutchinsons petition Jn<sup>o</sup> Sands his execution ag<sup>t</sup> him is respitted till the 15<sup>th</sup> of May next =

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1674

present  
Jn<sup>o</sup> Leneret Esq<sup>r</sup> Go<sup>d</sup>.  
Symon Bradstreet  
Daniel Gookin  
Richard Russell  
Tho Danforth  
Edw. Tyng  
W<sup>m</sup> Staughton  
Tho: Clarke

Esqs

persons Returnd to  
serve on the Grand  
Jury & sworne =

Left Richard Beers  
Henry Allen  
Peter Bracket  
John Phillips  
Robert Sanders  
Jacob Elliot  
Jonas Clarke  
Samuel Andrews  
Henry Bright  
John Boules  
Robert Williams  
Samuel Clap  
Enock Wisewall  
Jn<sup>o</sup> Penticost  
W<sup>m</sup> Johnson

persons Returnd to  
serve on the Jury of  
tryalls for life &  
death were sworne =

m<sup>r</sup> W<sup>m</sup> Bartholmew  
Humphry Hodges  
Richd wooddey  
W<sup>m</sup> Ingram  
Rich<sup>d</sup> medlecott  
Jn<sup>o</sup> Greene  
Zack Hicks  
Jn<sup>o</sup> Barnard  
Nath: Coolidge  
Abra: How  
Phillip Curtes  
Amiel weeks

Att A speciall Court of Assistants Called by  
the Gou<sup>n</sup><sup>r</sup> & magistrates in Boston in order to the  
tryall of Nicholas ffaevo<sup>r</sup> 11<sup>th</sup> March 1674.

The Grand Jury on pervsall of Nicholas faevo<sup>s</sup>  
examination presented & Indicted him for murder  
leaving him to further tryall =

He was brought to the barr & was Indicted by  
the name of Nicholas faevo<sup>r</sup> for not hauing the  
feare of God before his eyes and being Instigated  
by the Divil in or about the 10<sup>th</sup> of february last he  
the sajd Nicholas ffaevo<sup>r</sup> together w<sup>th</sup> his then  
fellow servant Robe<sup>t</sup> Driver did maliciously & w<sup>th</sup>  
wicked hands murder their then master Robe<sup>t</sup>  
willjams, or did Abett Consent unto & conceale the  
sajd murdere<sup>s</sup> & villainous act, contrary to the  
peace of our Soueraigne Lord the king his Croune  
& dignity & the lawes of God, & of this Jurisdic-  
tion—he holding vp his hand all y<sup>e</sup> while pleaded  
not Guilty put himself on his trjall by God & the  
Country — The Jury on consideration of the eu-  
idence brought in their virdict they found him  
Guilty = And accordingly the Gouverno<sup>r</sup> pronounc<sup>t</sup>  
sentenc agt him yow Nicholas ffaevo<sup>r</sup> hauing binn  
found Guilty of murde<sup>r</sup> according to yo<sup>r</sup> Indictment  
are to Goe from hence to the place from whence  
yow Came || & from thenc || to the place of execu-  
tion & there to hang by the neck till yow be dead:  
God haue Mercy on thy soule: =

Edward Naylor being Complayned on for In-  
truding into his late wiues Katherin Nanny<sup>s</sup> Com-  
pany &c. The Court on hearing what was lajd to  
the sajd Naylor's charge doe Judge & declare his

bond to be forfeited and doe order the Secretary to put the sajd Bond  
in suite = And that he stands Committed till he dischardg his  
bond. =

This Court ordered the executions of the sajd Robe't Drive' & Nicholas ffævo' to be on the 5<sup>th</sup> day next after the lecture & that the Secretary Issue out his warrants Accordingly and that Anna Negro haue hir sentenc then executed on hir as to y<sup>e</sup> 1<sup>st</sup> p<sup>te</sup>

Att A Court of Assistants on Adjournment held at Boston 13<sup>th</sup> of may 1675

Att this Court Mary Parsons the wife of Joseph Parsons of Northampton in the County of Hampshire in the Colony of the Massachusetts being presented & Indicted by the Grand Jury was also Indicted by the name of Mary Parsons the wife of Joseph Parsons for not hauing the feare of God before hir eyes and being Instigated by the diuill hath at one or other of the times mentioned in the euidences now before y<sup>e</sup> Court entred into familiarity w<sup>th</sup> the diuill and Comitted seuerall acts of witchcraft on the person or persons of one or more as in the sajd euidences relating thereto refference being thereto had Amply doeth and may appeare and all this Contrary to the peace of our Soueraigne Lord the king his Croune and dignity the lawes of God and of this Jurisdiction — After the Indictment

present  
J<sup>n</sup> Lebert Esq<sup>r</sup> Go<sup>d</sup>  
Sam. Symonds Esq<sup>r</sup> dep<sup>t</sup>  
Gou  
Symon Bradstreet  
Daniel Gookin  
Daniel Dennison  
Symon Willard  
Rich<sup>d</sup> Russell  
Tho Danforth  
W<sup>m</sup> Hathorn  
J<sup>n</sup> Pinchon  
Edwd Tyng  
W<sup>m</sup> Stoughton  
Tho Clarke

Esq<sup>rs</sup>

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1675

and Euidences in the Case were Read the prisone' at the barr holding vp hir hand & pleading not Guilty putting himself on hir triall, the Jury brought in their virdict they found hir not Guilty — & so she was dischardged —

By virtue of a warrant wee whose names are herevnder written being warned by y<sup>e</sup> Constable of Boston to serve as a Jury of Inquest to make diligent Search & Inquiry after the Cause of the death of a youth named Christopher Bickford we find the sajd youth in his face to be much bruised & two of his fingers on his right hand hurt and that the sajd youth by Information of the master & seamen which belonged to the sajd ship he Came ouer in was missing euer since tuesday last betweene betweene † six &

The names of y<sup>e</sup>  
Jury of tryalls for  
life & death sworne  
were

— — — —  
M<sup>r</sup> Joseph Cooke  
Hugh Drury  
Tho Dure\*  
Theode<sup>r</sup> Atkinson  
señ  
Sam: Mayrs  
Benj Gamlin  
W<sup>m</sup> Symes  
J<sup>n</sup> Heyman  
Nath flake sen<sup>r</sup>  
Henry Spring  
Rich<sup>d</sup> Hall  
Samuel Paul  
— — — —  
Beckfords death  
May 14 (75)

\* Or Durd.

† Repeated in the record.

eight of the clocke at night & Judge or Conceive a fall from the ship or som blow or blowes on his face w<sup>th</sup> falling from the ship into the waters to be y<sup>e</sup> Cause of his death = Subscribed Seth Perry Rich<sup>d</sup> way Jn<sup>o</sup> W<sup>m</sup> Rich<sup>d</sup> wooddje Ephraim Turner Tho. Bingly Jn<sup>o</sup> marrion Jn<sup>o</sup> morse W<sup>m</sup> || [Se<sup>d</sup>ick] || W. Wright Jn<sup>o</sup> Lake Edward Ellis Jn<sup>o</sup> Buttolph Benja Thirston. The Jurors subscribed attested to the trueth of this virdict vpon their oaths before me Dani Dennison

present  
Jn<sup>o</sup> Leueret Esq<sup>r</sup> Go<sup>d</sup>  
Sam Symonds Esq<sup>r</sup> dept  
Go<sup>d</sup>

Symon Bradstreet  
Daniel Gookin  
Daniel Dennison  
Rich<sup>d</sup> Russell  
Tho Danforth  
W<sup>m</sup> Hathorn  
John Pinchon  
Edw. Tyng  
W<sup>m</sup> Stoughton  
Tho Clarke  
- - - - -

} Esq<sup>s</sup>

Att A Court of Admiralty or Court of Assistants Called by the Gou<sup>r</sup>no<sup>r</sup> & Assembled in Boston 17<sup>th</sup> of May 1675

m<sup>r</sup> Humphry Warren of Boston merchant in behalfe of m<sup>s</sup> Elisabeth ffreake relict of the late m<sup>r</sup> John ffreake merchant || & m<sup>r</sup> Sam Shrimpton m<sup>cht</sup> || preffering their libell Against Peter Rodrjego as also ag<sup>t</sup> Cornelius Andreson John Roads & Company. The Court on a full and due perversall of the aboue mentioned libell & hearing of all partjes Concerned

w<sup>th</sup> the evidences produced doe Judge it meete to declare & Graunt adjudication of the vessells & Goods taken & brought in by Cap<sup>t</sup> Samuel Mosely to Humphry Warren in behalfe of the late m<sup>r</sup> John ffreake & Elisabeth his relict & m<sup>r</sup> Samuel Shrimpton for their Reparation for their vessell & Goods taken from them by the sajd Rodriego Roads & Company and the sajd warren and shrimpton are to pay the chardges of the Court & prosecution of the Case for y<sup>e</sup> hearing of the Case seven pounds mony besides the office's ffees & charges. =

The Court declard that the sajd Peter Rodriego Cornellius Andreson Jn<sup>o</sup> Roads Peter Grant Randall Judson Rich<sup>d</sup> ffowler & to be lawfull prisoners Remanding them to prison Againe and Referred them to further Tryall. =

The Council Act of 15<sup>th</sup> febr 1674 comissionating y<sup>e</sup> Aboue mentioned Cap<sup>t</sup> Sam Mosely to fetch in the aboue mention<sup>d</sup> Rodriegoe & Company in Ans<sup>r</sup> to m<sup>r</sup> Jn<sup>o</sup> ffreaks peticon & mosely A Instruction are on y<sup>e</sup> Courts file. =

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1675

present  
Jn<sup>o</sup> Leueret Esq<sup>r</sup> Go<sup>d</sup>.  
Sam Symond Esq<sup>r</sup>  
dept Go.

Att A Court of Assistants held at Boston y<sup>e</sup> 24<sup>th</sup> of may 1675 & called by y<sup>e</sup> Court for trjall of the prisone's =



Peeter Rodrjego Dutchman being presented & Indicted by the Grand Jury was Indicted by the name of Peeter Rodrjego for that he not having the feare of God before his eyes he w<sup>th</sup> othe<sup>r</sup> his Complices sometimes in the moneth<sup>s</sup> of Novembe<sup>r</sup> Decembe<sup>r</sup> & January last by force of Armes did vpon the sea<sup>s</sup> pyrat<sup>t</sup>ically & ffelloniously seize & take seuerall smale English vessells (and their Companies) belonging to his Maj<sup>ty</sup>s subjects of this Colony & made prize of their Goods & in particu<sup>lar</sup> the bareque Phillip & her goods belonging to the late m<sup>r</sup> John ffreake of Boston Georg maning being master then of hir wounding the sajd maning & his mate Contrary to the peace of our Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction. — to wch Indictm<sup>en</sup>t y<sup>e</sup> prisone<sup>r</sup> at the barr pleaded not Guilty put himself on triall by God & the Country — saying he had no exception ag<sup>t</sup> any of y<sup>e</sup> Jury : the Case proceeded and after the Indictment & evidences in the Case were Read Committed to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in thr virdict they found him Guilty according to the aboue written Indictment and Accordingly had sentenc of death pronounc<sup>d</sup> ag<sup>t</sup> him by y<sup>e</sup> Go<sup>o</sup>d. to be Carrjed from hence to the place from whence he came & thence to the place of execution & there to hang till he be dead

Symon Bradstreet	} Esq <sup>r</sup>
Symon willard	
Rich <sup>d</sup> Russell	
Tho Danforth	
W <sup>m</sup> Hathorn	
Edw. Tyng	
w <sup>m</sup> Stoughton	
— — — — —	
Grand Jurymen	
Returnd to serve	
At y <sup>e</sup> Court & Sworne	
were =	
— — — — —	
m <sup>r</sup> J <sup>n</sup> e sherman —	
Rich <sup>d</sup> wellington	
Rich <sup>d</sup> Baker	
Tho. Russell	
J <sup>n</sup> e Long	
Symon Lynd	
J <sup>n</sup> e woodmansey	
J <sup>n</sup> athan Bolston	
Habbacuck Glouer	
J <sup>n</sup> e Bateman	
Jonas clarke	
ffrancis Moore	
Tho: Hastings	
J <sup>n</sup> e Bowles	
Tho weld	
— — — — —	
Jury men Returnd	
to Serv[e] on the	
Jury of tryalls	
m <sup>r</sup> John Cheekly	
J <sup>n</sup> e Bird	
Benj: Bale	
Benj: Moore	
Benj: Gillam	
Samuel Goffe	
Tho Longhorne	
Tho ff <sup>a</sup> s[ning]	
Tho Hastings	
J <sup>n</sup> e Stone	
Edw. B[r]idge	
Daniel Brewer	
— — — — —	

And on his peti<sup>ti</sup>on the Court Gaue him opp<sup>o</sup>rtunity to peti<sup>ti</sup>on the Gen<sup>l</sup> Court for his life = In like manner

Cornelius Andreson Dutchman was brought out of Prison to the barr & Indicted by the name of Cornelius Andreson for not having the feare of God before his eyes he together w<sup>th</sup> other his Complices sometimes in the moneth<sup>s</sup> of November Decembe<sup>r</sup> & January last past did vpon the seas by force of Armes Pyrat<sup>t</sup>ically & ffelloniously seize and take seuerall smale English vessells (w<sup>th</sup> their Companies) belonging to his maj<sup>ty</sup>s subjects of this Colony making prize of their Goods and

in particuler the vessell & Goods that belonged to Edward Hylliard & w<sup>m</sup> waldron Contrary to the peace of our Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction — in like manner he put himself on God & the Country for his tryall: and After the Indictment & evidences in the Case produced against him were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this

Andreasons Case Court the Jury brought in their virdict they found him not Guilty *er* on sending out Againe they brought in they found him Guilty of Theft or Robbery by taking from willjam waldron & Edward Hylliard fowerteen moose skins two packs of Beaver & seuen martin skins

And In Answer to his humble peticon & Acknowledgment of his Evills. wch he owned in open Court was pardoned —

order for T<sup>r</sup>: to pay It is ordered y<sup>t</sup> y<sup>e</sup> Tresurer pay m<sup>r</sup> Kent forty five  
w<sup>m</sup> Kent 45: 6: shillings sixe pence & is for a dinner for y<sup>e</sup> magists at  
a Court of Admiralty April 9 (74) — —

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1675

Jn<sup>o</sup> Roads Peter Grant *er* the Rest of the prisone's were Called into the open Court & had the Grand Jury<sup>s</sup> presentment & Indictments ag<sup>t</sup> them Read as Pyrates but the evidences not being viva voce they were by the Court Remanded to prison y<sup>e</sup> Court adjourning till the 3<sup>d</sup> 5<sup>th</sup> day of June being ye 17<sup>th</sup> day at nine of y<sup>e</sup> clock y<sup>e</sup> witnesses to be sent for

present  
Jn<sup>o</sup> Leueret Esq<sup>r</sup> Go<sup>d</sup>  
Sam Symonds Esq<sup>r</sup>  
dep<sup>t</sup> Go:  
Symon Bradstreet  
Daniel Gookin  
Daniel Dennison  
Symon Willard  
Rich<sup>d</sup> Russell  
Tho Danforth  
Edw<sup>d</sup> Tyng  
W<sup>m</sup> Stoughton  
Thomas Clarke  
— — —  
Jurymen Impanelled  
& sworne were for  
y<sup>e</sup> Trial of these 6  
— — —  
Capt Benja Gillam  
Jn<sup>o</sup> Bird  
Benj: Bale

Att A Court of Assistants on Adjournment held at Boston 17<sup>th</sup> June 1675 Jn<sup>o</sup> Roads was brought to the barr & holding vp his hand was Indicted by the name of John Roads late of Boston for that he not having the feare of God before his eyes & ~~being~~ ~~instigated by the Divill~~ he w<sup>th</sup> othe's his Complices sometimes in the mon<sup>th</sup>s of November December & January last past did by force of Armes vpon the seas Pyratteally & ffelloniously seize & take seuerall Smale English vessells & theire Companjes belonging to his Maj<sup>ty</sup> subjects of this Colony and made prize of their Goods & in particuler the barque Phillip & her Goods belonging to the late m<sup>r</sup> John ffreake of Boston George maning being

then master of hir wounding the said maning & his mate Contrary to the peace of our Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction to wch he pleaded not Guilty put himself on God & the Country for his trjall after y<sup>e</sup> Indictment & evidences produced ag<sup>t</sup> him were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of y<sup>e</sup> Court the Jury brought in their virdict they found him Guilty according to Indictment and accordingly y<sup>e</sup> next day had sentenc of Death pronounc ag<sup>t</sup> him: y<sup>e</sup> he should Goe from the barr to y<sup>e</sup> place from whence he Came & thenc to the place of execution & there hang till he be dead. —

W<sup>m</sup> Whitwell  
Richd Knight  
Sam Goffe  
Tho Longhorne  
Edw<sup>d</sup> Bridge  
Daniel Brewer  
John Holbrook  
Jn<sup>s</sup> Swett  
Jn<sup>s</sup> Davenport  
— — — —

Sentenc

Richd ffoule<sup>r</sup> was brought to the barr & holding his hand there vp <sup>^</sup> was indicted by the name of Richard ffowler Englishman for that he not hauing the feare of God before his eyes he w<sup>th</sup> others his Complices sometimes in the moneth<sup>s</sup> of Novembe<sup>r</sup> decembe<sup>r</sup> & January last past did by force of Armes vpon the seas pyrattically & feloniously seize & take seuerall smale vessells & their Companies belonging to his maj<sup>ty</sup>s subjects of this Colony making prize of their Goods and in particullar the barcque Phillip & her Goods belonging to the late m<sup>r</sup> John ffreake of Boston George maning being then master of her wounding the said maning & his mate Contrary to the peace of our Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction: = This case as Jn<sup>s</sup> Roads being Comitted to the Jury <sup>^</sup> the Jury brought in their virdict they found him Guilty according to Indictmen<sup>t</sup> = y<sup>e</sup> sentenc of death in like manner was pronounc ag<sup>t</sup> him:

ffoulers Indictmt &  
sentenc

Peeter Grant was also brought to the barr where holding vp his hand was Indicted by the name of Peeter Grant scotch man for not hauing the feare of God before his eyes he w<sup>th</sup> others his Complices sometimes in the months of Novembe<sup>r</sup> decembe<sup>r</sup> & January last past

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did vpon the seas by force of Armes pirattically & ffel-  
loniously seize & take seuerall smale English vessells  
(w<sup>th</sup> their Companies <sup>^</sup> belonging to his maj<sup>ty</sup>s subjects of this Colony  
making prize of their Goods and in particullar the barcque Phillip &  
her Goods belonging to the late m<sup>r</sup> John ffreake of Boston George

Grants Indictm<sup>t</sup>

maning being then master of hir wounding the sajd master & his mate Contrary to the peace of our Soueraigne Lord the King his Croune & dignity & the law<sup>e</sup> of this Jurisdiçon to wch Indictment he pleaded not Guilty & put himself on God & the Country for his tryall — & being Comitted to the Jury they brought in their virdict they found him Guilty & accordingly sentenc of death was pronounc ag<sup>t</sup> him as ag<sup>t</sup> Jn<sup>o</sup> Roads

Randolph Judson was brought to the barr & Indicted by the name of Randolph Judson Englishman for not hauing the feare of God before his eyes & ~~being Instigated by the Devil~~ w<sup>th</sup> others his Complices, sometimes in the months of Novembe<sup>r</sup> Decemb<sup>r</sup> & January last past did by force of Armes vpon the seas pirattically & feloniously seize & take seuerall English vessells (and theire Companjes) belonging to his maj<sup>ty</sup> subjects of this Colony and made prize of theire Goods and in particular the barque Phillip & her Goods belonging to the late m<sup>r</sup> John ffreake of Boston George maning being then master of her wounding the sajd maning & his mate Contrary to the peace of our Soueraigne Lord the King his Croune & dignity & the laws of this Jurisdiction: to wch Indictment he also pleaded not Guilty put himself on God & the Country for his trjall & being comitted to the Jury they brought in their virdict they found him Guilty according to Indictment ~~of~~ and accordingly he had y<sup>e</sup> sentenc of death pronounc ag<sup>t</sup> him: — as Jn<sup>o</sup> Roads had

Jn<sup>o</sup> willjams was brought to the barr and was Indicted by the name of John willjams Englishman for that he not hauing the feare of God before his eyes w<sup>th</sup> others his Complices some times in the months of Nouember December & January last past did vpon the seas by force of Armes pirattically & ffeloniously seize & take seuerall smale English vessells w<sup>th</sup> their Compāyes belonging to his Maj<sup>ty</sup> subjects of this Colony making prize of their Goods and in particular the barque Phillip & her Goods belonging to the late m<sup>r</sup> John ffreake of Boston George maning being then master of her wounding the sajd maning & his mate Contrary to the peace of our Soueraigne Lord the King his Croune & dignity & the lawes of this Jurisdiction. to wch Indictment y<sup>e</sup> prisone<sup>r</sup> pleaded not Guilty & put himself on God & the Country for his trjall w<sup>ch</sup> Indictm<sup>t</sup> & evidences comitted to the Jury the Jury brought in their virdict they found him not Guilty

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John Thomas was brought to the barr and was Indicted by the name of John Thomas for not having the feare of God before his Eyes he together w<sup>th</sup> other his Complices sometimes in the mon<sup>th</sup>s of Nouembe<sup>r</sup> Decembe<sup>r</sup> & January last past John Thomas  
Indictm<sup>t</sup> did vpon the seas by force of Armes piratticcally & feloniously seize and take seuerall smale English vessells (w<sup>th</sup> their Companyes) belonging to his Maj<sup>ty</sup>s subjects of this Colony making prize of their Goods and in particular the baroque phillip & hir Goods belonging to the late m<sup>r</sup> John ffreake of Boston Georg maning being then master of hir wounding the sajd maning & his mate Contrary to the peace of our Soueraigne Lord the King his Croune & dignity & y<sup>e</sup> laws of this Jurisdiction — to which Indictment y<sup>e</sup> prisoner pleaded not Guilt[y] & put himself on God & the Country for his triall (wch Indictm<sup>t</sup> & evidences was Comitted to ffreed the Jury that brought in their virdict they found him not guilty

It is ordered that John Roads Randall Judson Peter Grant & Richard ffouler being Condemned to suffer Death the time Appointed for their execution shall be on y<sup>e</sup> 5<sup>th</sup> day next Come seven night being the first day of July presently after the lecture and warrants Issued out accordingly —

At A Court of Assistants or Admiralty held at Boston the 17<sup>th</sup> of June 1675

Vpon the Complaint of willjam measure of lyme in New England merchant exhibbited vnto this Court by his libell against Robe<sup>t</sup> Haughton of Boston marriner & master of the Catch Hopewell This Court having heard & considered the pleas & evidences in the Case doe order & decree that Robert Haughton shall deliuer unto W<sup>m</sup> Measure all his Apparrell and other Goods in his posession and pay & duely sattisfy unto the sajd measure or his Assignes the some of two hundred & ten pounds in lawfull money of New England And It is further ordered & decreed that the sajd W<sup>m</sup> Measure shall pay all the seamens wages & Catch hire and victualls untill hir Arrivall in New England and the sajd master is to receive what freight is due for any Goods brought in the sajd Catch from Berbadoes to Boston & pay the Costs of the action in money the summe of sixe pounds thirteen shillings and officers fees and this to be a fynall Issue of the case —  
E R S.

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Whereas John Bacon willjam Parsons Rob<sup>t</sup> Brounsford Abraham Sanford Andrew Couzens & Nicholas Smith marriners exhibited to this Court theire libell & Complaint against John Bull master of the ship Providence of lyme declaring that they were shipped by Walter Tucker (one of the Owno's of the sajd shipp) for a voyage from Lyme to virginea and from thence to lyme againe the Port of their discharge, and accordingly coming to virginia they could not obteyne Tobacco sufficient to load the vessell to Content of the master and Jn<sup>o</sup> Smith merchant of the sajd ship wherevpon they the sajd master & merchant resolved for new England the Complaynants Complying therein being desirous to further the Concernes of the owno's and are now come to Boston || where they Ap'hend their wages to be due it being || the second deliuering Port but the master denying the payment thereof, they doe Craue the Justice of this Court, that their wages may be pajd them or that the master be ordered to Giue them security for the payment thereof in England on demand; and also that they may be freed from the sd ship; or haue security for their wages for the time to come till they come to the Port of their right discharge =

The aboue named partjes appearing before this Court and hauing had libe'ty to present their full plea & euidence in the Case wch haue binn duely considered It is heereby Ordered & decreed that John Bull master of the sajd ship Providence shall Giue to the aboue named John Bacon w<sup>m</sup> Parsons Robe<sup>t</sup> Brounesford Abraham Sanford, Andrew Couzens and Nicholas Smith a Cirtifficat vnder his hand legally Attested declaring the time they haue served in the sajd ship in pursuance of their Contract w<sup>th</sup> their ouno's & Implojers and that their wages is due vnto this time wch being Accordingly performed by the sajd master then the sajd seamen are Ordered to proceed on their voyage on the same Conditions that they were first shipped vpon the Costs of this Court || to || be payd by the sajd John Bull i e forty six shillings: Cirtifficate was Giuen & signed by y<sup>e</sup> sd Jn<sup>o</sup> B[ou]ll & owned in Court & is on file =

Whereas Isaak Rand mate of the ship John & mary of London, Robe<sup>t</sup> Kemp Carpenter, Henry Butte<sup>r</sup>field Gunner John Smart Quartermaster W<sup>m</sup> Lock chirurgeon moses Patrick Robert Daus & James King all marriners of the sajd ship Exhibited a libell & Complaint

against John Smith me'chant and part Owno' of the ship John & Mary late of London Josiah Hare late Comand' This Court having heard & Considered the pleas & evidences in the Case doe order & decree that John Smith shall forthwith sattisfy unto the sajd persons before named in mony the sume of seventy nine pounds sixe shillings & six pence that is to say sixty one pounds sixe shillings & sixpence for wages each man his proportion and for saluage of Goods eighteen pounds i e to Isack Rand sixteen pounds five shilling to Rob' Kemp fueteene pounds two shillings & six pence to Henry Butterfield nine pounds sixteen shillings to John Smart nine pounds two shillings & six pence To w<sup>m</sup> Lock chirurgeon eleven pounds seven shillings & six pence To Rob' Daus six pounds sixteen shillings to moses Patrick six pounds seventeen shillings & to James King fower pounds in all seventy nine pounds six shilling & six pence and the sajd John Smith is to pay y<sup>e</sup> Costs of Court & office's fees five pound fower shillings. —

[28]

1675

Att a Court of Admirality or Court of Assistants held at Boston 6<sup>th</sup> August 1675 —

In the Case of Thomas Moore mast' in behalfe of himself & the rest of the Owno<sup>r</sup> of the Pink Supply plaintiff by his libell & complant exhibited to this Court ag<sup>t</sup> w<sup>m</sup> may now master of the sajd Pinke defendt the Court having duely heard & Considered the plea<sup>s</sup> & evidences in the Case doe find for y<sup>e</sup> defendt and order & decree y<sup>t</sup> the plantiff pay the Costs of Court in all fifty nine shillings —

present y <sup>e</sup> Go <sup>vt</sup> no <sup>r</sup>	} Esq <sup>r</sup>
Mr Bradstreet	
Cap <sup>t</sup> Gookin	
Major Dennison	
Rich. Russell	
Tho. Danforth	
Edw Ting	
W <sup>m</sup> Stoughton	} Courts order & decree for Moore & May <sup>r</sup> Case Execution Issued out for y <sup>e</sup> Costs =
Tho. Clarke	
— — — —	

The Court having Considered the Complaint or libell of Phillip owen charls ffrost John Bell Arthur Richards & w<sup>m</sup> maxfeild mariners of the ship George of London Derry ag<sup>t</sup> Charls Newton part owno' & James Gordon Agent & facto' for Jarvice Ba[r]ty the other owno' of the sajd ship doeth order and decree that the sajd Newton & James Gordon shall before the eleventh of this Instant August Giue security to the secretary or Clarke of this Court to the value of one hundred pounds that they shall sayle w<sup>th</sup> the sajd ship George from this port directly to London Derry in Ireland or otherwise to pay unto the sajd Phillip Owen & Company as aboue their wages to this day the some of

Courts order & decree in phillip owen Charls frost & Newton & Gordons Case

fuety pounds three shillings sixe pene mony being fowe' month and a halfe ending August the 7<sup>th</sup> inst to be divided amongst them according to their seuerall pro \* proportions and In Case the deffendants shall pay the plaintiffs their wages then the sajd Plaintiffs are ordered to Continue in their service in the sajd ship Provided their voyages be only to lawfull Ports and that they be not kept out about one yeare from their first setting forth from London Derry and that the defend<sup>ts</sup> pay the Costs of this Court & officers ffes which came to forty eight shillings besids y<sup>e</sup> seamens Costs =

Thomas Mitchell & Edward Vring being bound ouer to this Court to Ans<sup>r</sup> for their seuerall misdemeano's in their being & seeming concurrence w<sup>th</sup> John Roads & the rest of the Pyrates were Called and Appearing The Court hauing heard & considered their pleas & euidences presented doe sentence the sajd Thomas michell to make & pay treble sattisfaction to m<sup>r</sup> George munjoy for the fowe' sheepe stolne i e nine pounds twelve shillings & that both the said mitchell & vrin be whipt w<sup>th</sup> twenty stripes a peece & dischardgeing their fees standing Comitted till this sentence be performed

Courts sentence of  
vrin & mitchell

[29]

1675

Vppon a Complaint of Robe't Haughton of Boston marriner master of the late Catch called the Hopewell exhibbited to this Court by his libell against willjam measure merchant in an Action of the Case for breach of charter party. This Court hauing heard & considered the pleas & euidences in the Case doe order & decree that the plaintiff pay the deffendant his Costs of Court & the office's ffes:

Vpon a Complaint of Robert Haughton of Boston marriner master of the Catch Hopewell plaintiffe by his libell exhibbited to this Court against w<sup>m</sup> measure merchant deffendant in an Action of Revejw of the Judgment & decree of this Court in June last The Court having heard & Considered the pleas & euidences & Refferred it to Audito's who haue made their returne wch this Court Approoves of and doe order and decree that the defendant pay unto the plaintiffe one hundred fuety fowe' pounds fowe'teen shillings & one penny and his Costs of this Court & office's fees: =

Execution Issued out  
y<sup>e</sup> 18<sup>th</sup> Inst

this Court is dissolved

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\* The Secretary evidently neglected to cancel the "pro."



Att A Court of Admiralty or Court of Assistants held at Boston the 30<sup>th</sup> of August 1675

In the Action brought before this Court between Jn<sup>o</sup> Toton of Rochell chirurgeon by his libell Complayning against Thomas Patten of Boston merchant as to his wages as Pylot for fowe<sup>r</sup> mon<sup>th</sup>s certeine after fiue pounds p<sup>r</sup> moneth and for fower barrells of Brandy and for one eighth part of the Cargoe. = After the Court had heard & Considered the evidences produced doe Judge order and decree that the sajd Thomas Patten sattsify & pay vnto John Toton for his Pilotage fiuteen pounds money [he having received five pounds in france] † and for what is vnpayd him for his Brandy thirteen pounds fowe<sup>r</sup>teen shillings in money and for his owne eighth part of the Cargoe one hundred and ten pounds in all one hundred thirty eight pounds, a twelve shillings & fowe<sup>r</sup> pence Costs of this Court and office's ffes six pounds twelve shillings & fowe<sup>r</sup> pence and for m<sup>r</sup> Bayly<sup>s</sup> concernes ‡ the Court sees no Cause to medle w<sup>h</sup> that =

This Court is dissolued

present  
the Go<sup>vt</sup>  
dep<sup>r</sup> Go<sup>vt</sup>  
Symon Bradstreet  
Daniel Gookin  
Daniel Denison  
W<sup>m</sup> Hawthorn<sup>\*</sup>  
Rich. Russell  
Th<sup>o</sup>. Danforth  
Edw Tyng  
W<sup>m</sup> Stoughton  
Th<sup>o</sup> Clarke  
— — — —

} Esq<sup>r</sup>.

Courts decree in  
Toton<sup>s</sup> Case

Execution Issued out  
the 9<sup>th</sup> Septemb  
1675: & returned

[30]

1675

Att a Court of Assistants held at Boston 7<sup>th</sup> September 1675

The Grand Jury brought in their Indictments & presentments

1<sup>st</sup> Ju. Henry Dow plant Attorney & in behalfe of the Toune of Hampton agt Nathaniel Boulter || Attorney to Jn<sup>o</sup> Huggens || defendant After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their Virdict Confirmation of the Judgm<sup>t</sup> of Salisbury Court the land in Controuersie & Costs of Courts. =

present  
Jn<sup>o</sup> LeBel Esq Go<sup>vt</sup>  
Sam Symonds Esq<sup>r</sup> Dep<sup>r</sup>  
Go<sup>vt</sup>  
Symon Bradstreet  
Daniel Gookin  
Daniel Dennison  
Richd Russell  
Th<sup>o</sup>. Danforth  
W<sup>m</sup> Hathorn  
Edward Tyng  
W<sup>m</sup> Stoughton  
Thomas Clarke  
— — — —

} Esq<sup>r</sup>.

persons Returned to  
serve on y<sup>e</sup> Grand  
Jury & Sworne  
— — — —  
m<sup>r</sup> W<sup>m</sup> Parkes  
W<sup>m</sup> Needom  
Samuel Sendall  
John Conney

\* The two carets are in the original and probably indicate that Hawthorn's name should come after Danforth's. † In brackets in the original. ‡ Written over the word "demands."

Francis Douse  
Giles Pason  
Jn<sup>e</sup> Smith  
Timothy mather  
Joseph Lynd  
Jn<sup>e</sup> Heyman  
Jonas Clarke  
Tho<sup>x</sup> fox  
Jn<sup>e</sup> Coolidge  
Ell[is] Baron  
— — — —  
persons to serve on  
y<sup>e</sup> Jury of trials for  
life & death Appeales  
& Returnd  
& sworn 1<sup>st</sup> Jur were

Left Ellsha Hutch-  
inson  
Samuel walker  
Thomas moore  
Zeekaryah Long  
Jn<sup>e</sup> Knight  
Nicholas Clap  
Timothy Tyleston  
Jno Hennoway  
Richd Norcross  
Robert Herrington  
w<sup>m</sup> Dixon  
Noah wisewall  
— — — —  
Jno Thaxter in som  
Cases instead of Ric:  
Norcross  
— — — —

2<sup>d</sup> Jur Elisabeth Smith widdow relict of Francis  
Smith plant agt w<sup>m</sup> Hudson defend<sup>t</sup> in an Accon of  
Appeale from the Judgment of the County Court in  
Boston in Aprill last After the Attachment Courts  
Judgment Reasons of Appeale & evidences in the Case  
produced were read Comitted to the Jury &  
are on file w<sup>th</sup> the Reccords of this Court  
the Jury brought in their virdict the  
Jury finds for y<sup>e</sup> plaintiff Reuersion of  
the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts twenty six  
shillings

Edward Richards plaintiff ag<sup>t</sup> Left Thomas Put-  
man deffendant in an Accon of Appeale from the  
Judgment of the County Court at Salem after y<sup>e</sup>  
Attachm<sup>t</sup> Courts Judgment Reasons of Appeale and  
evidences in the Case produced were read Comitted to  
the Jury and are on file w<sup>th</sup> the Reccords of this  
Court the Jury brought in their virdict they found for  
the plaintiff Reuersion of the former Judgm<sup>t</sup> & Costs  
of Courts

Richd Dumer plaintiff ag<sup>t</sup> Capt w<sup>m</sup> Gerrish Jo-  
seph Hills Jn<sup>e</sup> Knight & Sam P[lum]jer deffendants in an Accon of  
Appeale from the Judgment of the County Court at Salem After the  
Attachm<sup>t</sup> Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case  
produced were read Comitted to the Jury & are on file the Jury brought  
in their virdict they found for the plaintiff reuersion of the former  
Judgment & Costs of Courts three pounds.

Joshua Atwater plaintiff in an action of Appeale from the Judgm<sup>t</sup>  
of the County Court at Boston ag<sup>t</sup> Jn<sup>e</sup>than Balston deffendant after the  
Attachment Courts Judgment Reasons of Appeale & evidences in the  
Case produced were read Comitted to y<sup>e</sup> Jury the plaintiff w<sup>th</sup> drew his  
Accon w<sup>th</sup> y<sup>e</sup> Courts Consent & y<sup>e</sup> deffend<sup>t</sup>

Robert Sandford plaintiff against Nathaniel Putman deffendan<sup>t</sup> in  
an action of Appeale from the Judgment of the County Court at Salem  
After the Attachment Courts Judgment Reasons of Appeale & eui-

dences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Cour[t] the Jury finds for the plaintiff reuersion of the former Judgment and finde the brooke the bounds of Sandfords land as farr as that || wch || was Skeltons land lyes ag<sup>t</sup> it & the land in Controuersy to be Sandfords = w<sup>th</sup> Costs of Courts five pounds two shillings & fowe<sup>r</sup> pence

Execution  
Issued out  
4<sup>th</sup> Octo<sup>r</sup> 75

[31]

1675

Sampson Sheaffe plaintiff on Appeale from the Judgment of the County Court at Boston in Aprill last ag<sup>t</sup> Rich Collecot Assignee of Left Richard Cooke in behalf of Rebeckah Hunkin defendant After the Attachment Courts Judgment Reasons of Appeale & evidences in the case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the forme<sup>r</sup> Judgment & Costs of Courts =

The name of those  
returned to serve on  
y<sup>e</sup> 24 Jury for trials  
of Appeales & for  
life limbe & banishm<sup>t</sup>  
& sworne were

— — — —  
m<sup>r</sup> Jn<sup>o</sup> ffrost  
w<sup>m</sup> Harris  
James Blake  
Peter Lyon  
Sam Stone  
Jn<sup>o</sup> Spring  
Gregory Cooke  
Georg Woodward  
Jn<sup>o</sup> Holbrooke  
Nathani Homes  
Rich. Martyn  
Giles fifeld =

— — — —  
Jacob Jesson in  
Stones Room in  
Ben Gibbs Case c<sup>r</sup>  
— — — —

Jn<sup>o</sup> Gold plaintiffe ag<sup>t</sup> Nathaniel Putman in an Action of Revejw on Appeale from the Judgment of the County Court at Salem after the Judgment Reasons of Appeale & evidences produced were read Comitted to the Jury & are on file the Jury brought in their virdict (the Attachm<sup>t</sup> of Ipswich Court last not being produced & found) they found for y<sup>e</sup> deffend<sup>t</sup> Costs of Courts

Jno woodmannsey plaintiff ag<sup>t</sup> Tho Joy deffendt in an action of Apeale from the Judgment of the County Court at Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts = m<sup>r</sup> woodmansey in open Court || declared that he Attainted the Jury & declared he doubted not but he would || ~~in Reference to Errors he said he would prove~~ = || error ag<sup>t</sup> the Jurors || and the said Jn<sup>o</sup> woodmansey acknowledged himself bound in five hundred pounds to the Treasurer of the Country & to his successors c<sup>r</sup> and w<sup>m</sup> Rawson and Timothy Batt his sue<sup>r</sup>ties alike acknowledged themselues heires executo<sup>r</sup>s c<sup>r</sup>

Woodmansey ag<sup>t</sup>  
Joy

bound in two hundred & fuetty pounds a peece to the sajd Trespere' of the Country Rich<sup>d</sup> Russell Esq' & to his successors on Condition that the sajd John woodmansey shall prosecute his Attaindure at the next Court of Assistants to effect according to law. — as Attests Edw. Rawson Secrety.

Garlands judgm<sup>t</sup>  
reuerst

Jn<sup>o</sup> Garland & Elisabeth his wife plantiffe on Appeale from the Judgment of the County Court last at Salisbury After the Courts Judgment Reasons of Appeale & euidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plantiff reuersion of the former Judgment =

waynwright ag<sup>t</sup> Pick-  
ering

J<sup>o</sup> Francis waynwright plantiff against Jn<sup>o</sup> Pickering deffendant in an action of Appeale from the Judgment of the County Court held at Douer J<sup>o</sup> Francis wajnwright being three times called both he & y<sup>o</sup> deffendt made their default (It being s<sup>d</sup> they were Agreed):

Smith ag<sup>t</sup> Rand  
exec. Issued out

Jn<sup>o</sup> Smith merchant plantiff ag<sup>t</sup> Isaack Rand & Company deffndts in an Accon of Appeale from the Judgment of the County Court at Boston. After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & euidences in the Case produced were read Comitted to the Jury & are on file they brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts fower pound & two pence

Patridge ag<sup>t</sup> wayn-  
wright

Nehemiah Patridge plantiff ag<sup>t</sup> J<sup>o</sup> Francis waynwright defend<sup>t</sup> in an Accon of Appeale from the Judgment of the county Court at Douer After the Attachment Courts Judgment Reasons of Appeale & euidences in the Case produced were ~~read comitted to the Jury & are on file w<sup>th</sup> the~~ the plantiff & deffendant being three times Called made their default

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1675

1<sup>st</sup> Jur:  
Harris ag<sup>t</sup> chick e<sup>r</sup>

Thomas Harris plantiffe ag<sup>t</sup> Rich<sup>d</sup> Chick defendant as Attorney to George Greeneoway in an action of Appeale from the Judgment of the Comissione's Court In Boston After the Attachment Courts Judgment Reasons of Appeale and euidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup>

the Records of this Court the Jury brought in their verdict they found for the plaintiff Reversion of the former Judgment & Costs of Courts

Andrew Clark plaintiffe against John Nicholls  
defendt in an action of Appeale from the Judgment  
of the County Court in Boston in Aprill last After the  
Attachment Courts Judgment Reasons of Appeale &  
evidences in the Case produced were read Comitted to the Jury & are  
on file w<sup>th</sup> the Records of this Court the Jury brought in their verdict  
they found for the defendant Confirmation of the former Judgment  
and Costs of Courts forty one shillings & six pence

1<sup>st</sup> Jur  
Clark ag<sup>t</sup> Nicholls  
Execution Issued  
out

Anthony Cheeckley plaintiff ag<sup>t</sup> Jabez Salter defendt in an action  
of Appeale from the Judgment of the County Court in Aprill last  
after the Courts Judgm<sup>t</sup> Attachm<sup>t</sup> Reasons of Appeale  
& evidences in the case produced were read Comitted  
to the Jury & are on file w<sup>th</sup> the Records of this  
Court the Jury brought in their verdict they found  
for the defendant Confirmation of the former Judg-  
ment & Costs of Court

1<sup>st</sup> J:  
Cheeckly ag<sup>t</sup> Salter  
Execution Issued  
out 4<sup>th</sup> of october  
1676

Tho. Bishop plaintiffe against John Gold defendt In an action of  
Appeale from the Judgment of the County Court at  
Salem After the Attachment Courts Judgment Rea-  
sons of Appeale & evidences in the Case produced  
were read Comitted to the Jury & are on file w<sup>th</sup> the  
Records of this Court the Jury brought in their  
verdict they found for the defendant Confirmation of  
the former Judgment & Costs of Courts three pounds thirteen shilling  
& five pence.

2<sup>d</sup> Jur  
Bishop ag<sup>t</sup> Gold  
Execution Issued  
out for y<sup>e</sup> bill of sale  
& 3 13 6 Costs  
14 December 1683

Samuel Bishop plaintiffe ag<sup>t</sup> Jn<sup>o</sup> Gold defendant  
in an action of Appeale from the Judgments of the  
County Court at Salem After the Attachment Courts  
Judgment Reasons of Appeale & evidences in the Case  
produced were Read Comitted to the Jury & are on  
file w<sup>th</sup> the Records of this Court the Jury brought in their verdict they  
found for the plaintiffe reuersion of the former Judgment & Costs of  
Courts three pounds fower shilling & six pence

Samuell Bishop ag<sup>t</sup>  
Gold  
Tho Bishop his  
Attorney engag<sup>d</sup>  
for y<sup>e</sup> charges?

Wells ag<sup>t</sup> Batt      Tho wells plaintiff against Timothy Batt defend-  
ant in an action of Appeale from the Judgment of the  
County Court at Boston After the Attachment Courts Judgment Reasons  
of Appeale & evidences in the Case produced were Read Comitted to  
the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought  
in their virdict they found for the defendant Confirmation of the former  
Judgm<sup>t</sup> & Costs of Courts twenty six shillings & six pence

[33]

1675

Hudson ag<sup>t</sup> Leff<sup>t</sup>      Capt w<sup>m</sup> Hudson plaintiff ag<sup>t</sup> Hudson Leueret  
Judg<sup>t</sup> 102. 7. 2<sup>d</sup> vide      defendt in an action of Appeale from the Judgment  
County Courts Judg<sup>t</sup>      of the last County Court in Boston after the Attachm<sup>t</sup>  
Courts Judgment Reasons of Appeale & evidences in the Case pro-  
duced were read comitted to the Jury & are on file the Jury brought  
in their virdict they found for the deffendant Confirmation of the  
former Judgement & Costs of Court forty-three shillings & 10<sup>d</sup>

Wharton ag<sup>t</sup> Joy      Richard wharton plaintiffe ag<sup>t</sup> Joseph Joy As-  
signee of Tho Joy defend<sup>t</sup> in an Ac<sup>on</sup> of Appeale  
from the Judgment of the County Court at Boston after the Attach-  
ment Courts Judgment Reasons of Appeale & evidences in the case  
produced were read Comitted to the Jury & are on file w<sup>th</sup> the Rec-  
ords of this Court the Jury brought in their virdict they found for  
the plaintiff reuersion of the form<sup>t</sup> Judgm<sup>t</sup> & Costs of Court fuetty-two  
shillings & a penny :

Greenleafe ag<sup>t</sup> Gilbert      Enock Greenleafe plaintiffe ag<sup>t</sup> John Gilbert  
Execution Issued out      deffend<sup>t</sup> in an action of Appeale from the Judgment  
ab<sup>t</sup> 30<sup>th</sup> Sept 1675      of the County Cour<sup>t</sup> in Boston in Aprill last After  
the Attachment Courts Judgment Reasons of Appeale & evidences  
in the Case produced were read Comitted to the Jury & are on file  
w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they  
found for the plaintiffe reuersion of the form<sup>t</sup> Judgment & Costs  
of Court twenty eight shillings & six pence —

Gifford ag<sup>t</sup> Hathorne      Jn<sup>o</sup> Gifford plaintiff ag<sup>t</sup> Jn<sup>o</sup> Hathorne deffendant  
in an action of Appeale from the Judgment of the  
County Court at Ipswich. After the Attachment Courts Judg-  
ment Reasons of Appeale & evidences in the Case produced were  
read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this

Court the Jury brought in their virdict they found for y<sup>e</sup> deffendant  
Confirmation of the former Judgmen<sup>t</sup> & costs of Courts

John Gifford plaintiff ag<sup>t</sup> John Hathorne deffend-  
ant in an action of Appeale from the Judgment of the  
County Court at Ipswich After the Attachment Courts  
Judgment Reasons of Appeale & evidences in the Case produced were  
read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court  
the Jury brought in their virdict they found for the plaintiff Reuersion  
of the former Judgment & Costs of Courts = forty two shillings and  
eight pence

Gifford ag<sup>t</sup> Hathorne  
executi: Issued out  
12 July 76: =

John Gifford plaintiffe against John Hathorne  
deffendant in an action of Appeale from the Judg-  
ment of the County Court at Ipswich After the At-  
tachment Courts Judgment Reasons of Appeale &  
evidences in the Case produced were read Comitted to  
the Jury & are on file w<sup>th</sup> the Reccords of this Court  
the Jury brought in their virdict they found for the plantiff Reuersion  
of the forme<sup>r</sup> Judgment & Costs of Courts = three pounds fowe<sup>teen</sup>  
shillings & six pence

|| in behalf of his  
wife ||  
Gifford ag<sup>t</sup> Hathorne  
|| in 3<sup>d</sup> action of Bat-  
tery = ||  
Executi Issued out  
12 July 76

Jn<sup>o</sup> Gifford plaintiff ag<sup>t</sup> Jn<sup>o</sup> Hathorne deffendant  
in an action of Appeale from the Judgment of the  
County Court at Ipswich After the Attachment Courts  
Judgment Reasons of Appeale & evidences in the Case  
produced were read Comitted to the Jury & are on file  
w<sup>th</sup> the Reccords of this Court the Jury brought in their  
virdict they found for the plantiff reuersion of the forme<sup>r</sup> Judgment &  
Costs of Courts three pounds eight shillings

|| in behalf of his  
wife ||  
Gifford ag<sup>t</sup> Hathorn  
|| in y<sup>e</sup> Action of  
slander || Exec. Is-  
sued out 12 July 76  
for 8<sup>li</sup>: 8<sup>s</sup>:

Benjamin Gibbs plaintiff ag<sup>t</sup> Rouland Gideon &:  
\*Baruch deffend<sup>t</sup> in an action of Appeale from  
the Judgment of the County Court in Boston After the  
Attachment Courts Judgment Reasons of Appeale & evidences in the  
Case produced were Read Comitted to the Jury and are on file w<sup>th</sup>  
the Reccords of this Court the Jury brought in their virdict they  
found for the deffendant confirmati<sup>n</sup> of the fforme<sup>r</sup> Judgment & Costs  
of Courts

Gibbs ag<sup>t</sup> Gideon  
execution Issued out  
but satisfied w<sup>th</sup>out

\* This space left blank in the original.

† Intended for "confirmation."

[34]

1675

Leffot ag<sup>t</sup> Briggs      Hudson Leueret plantiffe against Abraham Briggs || Assignee of Jn<sup>o</sup> Gifford || deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court at Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plantiff forty seven shillings abated of the former Judgm<sup>t</sup> & Costs of Courts =

Gibbs ag<sup>t</sup> whetcombe      Benja: Gibbs plantiff ag<sup>t</sup> Josiah whetcombe Assignee of Joseph watters defend<sup>t</sup> in an action of Appeale from the Judgment of the County Court at Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury who were seu'll times sent out =<sub>A</sub>

Samuel Guile of Hauerill being Comitted to Prison in order to his tryall for Comitting a Rape was presented & Indicted by the Grand Jury <sub>A</sub> was brought from the prison to the barr where holding vp his hand was Indicted by the name of Samuel Guile for not hauing the feare of God before his eyes & being Instigated by the divill did on or about the 25<sup>th</sup> day of December last in the woods violently & forcibly seize on & Comitt a rape on the body of Mary Ash the wife of John Ash of Amesbury Contrary to the peace of our Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction = to which he pleaded not Guilty and put himself on God & the Country = After the Indictment & evidences were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in y<sup>e</sup>ir virdict they found the prisone<sup>r</sup> at the barr Guilty & he accordingly had sentenc pronouncet ag<sup>t</sup> him yow Sam Guile are to Goe from hence to y<sup>e</sup> place from whence yo<sup>w</sup> came & thence to y<sup>e</sup> place of execution & there || be || hang<sup>d</sup> till yow be dead e<sup>r</sup> wch was accordingly donn 16 october 1675. =

Courts sentenc &  
Jug<sup>t</sup> ag<sup>t</sup> Samuel  
Guile

Costs to y<sup>e</sup> witt-  
nesses 6. 18

Sixe pounds eighteen shillings allowed for y<sup>e</sup> Tresurer to pay newbery men as witnesses out of the estate of sajd Guile in his power as also out of y<sup>e</sup> same estate to pay unto Mary Ash

Recompenc to Mary  
Ash 5<sup>l</sup>

five pounds =



Dorothy Jones being Comitted to prison in order to hir tryall was brought, the barr & being presented and Indicted by the Grand Jury holding vp hir hand at the barr was Indicted by the name of Dorothy Jo[a]nes for not having the feare of God before hir eyes & being instigated by the diuill did murder the late Edward Lewis a lodger in hir house some times in January or february last Contrary to the peace of ou' Soueraigne Lord the King his Croune & dignity the lawe of God & of this Jurisdiction the Jury after perusall of y<sup>e</sup> Indictment & evidences in the Case produced brought in their virdict they found hir no' Guilty

Dorothy Jones  
Indictm<sup>t</sup>

Maurice Bret being in like manner Comitted to Prison was brought to the barr & holding vp his hand was Indicted by the name of maurice Brett of Boston for not hauing the feare of God before his eyes & being instigated by the Divill did in the house of morgan Jones or elsewhere murder the late Edward Lewis a lodger in the house in or about January or february last Contrary to the peace of our Soueraigne Lord the King his Croune & dignity the lawes of God & this Jurisdiction — after y<sup>e</sup> Indictment & evidences were Comitted to y<sup>e</sup> Jury & the Jury brought in their virdict they found y<sup>e</sup> prisoner at the barr not Guilty

Maurice Brete In-  
dictm<sup>t</sup>

At this Court obadiah Walk<sup>r</sup> was bound o<sup>d</sup> & Acknowledgd himself bound in five hundred pound & m<sup>r</sup> Hezekiah Vsher & Arthur mason acknowledged themselues bound in two hundred & fuety, A

[35]

1675

Zeckariah Crispe being Also Comitted to the prison as Jones & Bret was brought to the barr was Indicted by the name of Zekariah Crispe of Groaten for not hauing the feare of God before his eyes & being Instigated by the Divil did in the house of the late morgan Jones or elsewhere in Boston murder the late Edward Lewis a lodger in the house in or about January or february last contrary to the peace of our Soueraign Lord the King his Croune & dignity the lawes of God & of this Jurisdiction. the Indictm<sup>t</sup> & evidence alike Comitted to y<sup>e</sup> Jury who brought in their virdict they found the prisoner not Guilty. —

Zeckariah Crispe  
Indictment =

This Court was Adjourned to 21 Instant —

present  
Jn<sup>r</sup> Leueret Esq<sup>r</sup>  
Go<sup>o</sup>  
Sam Symonds Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>o</sup>  
Symon Bradstreet  
Rich<sup>d</sup> Russell  
maj<sup>r</sup> w<sup>m</sup> Hathorne  
Edward Tyng  
w<sup>m</sup> Stoughton  
Thomas Clarke  
— — — —

Att A Court of Admiralty or Court of Asistants  
held at Boston 13<sup>th</sup> of septemb<sup>r</sup> 1675

In the Case betweene mathew Johnson & Henry Tickner plaintiff in behalfe of the owne's of the ship Doue ag<sup>t</sup> Robert Cannon deffendant brought to this Court by their peti<sup>o</sup>n & libell against the said Cannon The Court having heard & considered the case & evidences produced doe order and decree that the said Robert Cannon shall forthwith deliuer the said ship Doue with all hir tackle Apparrell & Appurtenances together w<sup>th</sup> all the Cargoe belonging to the said Ouno's vnto the said Mathew Johnson & Henry Tickner and also pay them in mony two hundred & eight pounds vpon receipt whereof they shall Giue unto the said Robert Cannon a receipt and discharge for the same And that the said mathew Johnson & Henry Tickner shall pay & sattisfy the said Cannon his wages after the Rate of sixe pounds mony p<sup>r</sup> moneth to this day and also secure him the said Cannon from the seamens wages that is due to be paid them — the Sajd Cannon paying the charges of this Court five pounds & officers ffes w<sup>th</sup> costs of Court in all seven pounds fiuteen shillings & sixe pence

The Court ordered the dep<sup>t</sup> Go<sup>o</sup>no<sup>r</sup> & majo<sup>r</sup> Hawthorne should pay as a fine five shillings apeece for their departing the Court w<sup>th</sup>out leaue

Also m<sup>r</sup> Ting was fined twelue pence for his Absenc from y<sup>e</sup> Court after dinner

The Court was Adjourned to the 21<sup>th</sup> Instant Septembe<sup>r</sup> 1675 at w<sup>th</sup> time A Grand Jury was to be sumoned in order to the trjall of seuerall Indians sent doune from marlborough & Lancaster by Cap<sup>t</sup> mosely being vehemently suspected to haue a hand in y<sup>e</sup> murder of those at Nashaway

present  
Jn<sup>r</sup> Lette<sup>r</sup> Esq<sup>r</sup> Go<sup>o</sup>  
Sam Symonds Esq<sup>r</sup>  
dept Go<sup>o</sup>  
Symon Bradstreet  
Dani Gookin  
Dani Dennison  
Rich<sup>d</sup> Russell  
Tho Danforth  
w<sup>m</sup> Hathorne

Att An Adjournement of y<sup>e</sup> Court of Assistants  
held at Boston || & 18 Sept 75 thence adjourned [to ?] ||  
21 : September 1675

Att this Court Capt mosely<sup>r</sup> lette<sup>r</sup> and Account was Read w<sup>th</sup> the evidences produced ag<sup>t</sup> \*  
Indians he tooke at marlborow & were trjed according  
A their se<sup>o</sup>ll Indictments

\* This space left blank in the original.

John Indian was Indicted by the name of Jn<sup>o</sup> Indian belonging to marlborow for that he not having the feare of God before his eyes & being instigated by the divil did w<sup>th</sup> seuerall Indians at Lancaster at or about the 23 of August last murde<sup>r</sup> or was Confœderat w<sup>th</sup> seuerall Indians as an Ab-bettor or Concealer of the murder of the Inhabitants of the Lancaster w<sup>th</sup> one of this Colonjes souldjers named w<sup>m</sup> ffagg \* contrary to the peace of our Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction the prisonr was brought to y<sup>e</sup> barr pleaded not Guilty put himself on tryall by God & the Coun-try the pleas & evidences were Comitted to y<sup>e</sup> Jury who brought in their virdict they found y<sup>e</sup> prisoner at the barr not Guilty according to Indictment

Edw<sup>d</sup> Tyng  
W<sup>m</sup> Stoughton  
Tho Clarke  
— — —

persons Returnd to  
serve on y<sup>e</sup> ||Grand||  
Jury were sworne  
off leave

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— Joseph Spoonhaut Indian was alike Indicted — put himself on like tryall pleas & evidences in the case pduced Comitted to y<sup>e</sup> Jury who brought in their virdict they found him Guilty of Confœderacy And if Samuel Scripture<sup>s</sup> testimony of the prison<sup>s</sup> owning of y<sup>e</sup> fact be one legal evidenc they found him Guilty of murder — The Court ordered him to be sent away —

Grand Jury  
M<sup>r</sup> John Saffyn  
Jn<sup>o</sup> Tappin  
W<sup>m</sup> Ingram  
Jn<sup>o</sup> Trumble  
Tho Jenner  
Jonas Clarke  
Pyam Blowers  
Richard Hall  
Tho Lake  
Symon Stone  
Samuel Starnes  
Isaack Johnson  
John Weld  
— — —

Litle Jn<sup>o</sup> Indian y<sup>e</sup> Came as a messeng<sup>r</sup> from † being proved to be a murde<sup>r</sup> of the English in y<sup>e</sup> warr was Condemnd to be hangd & was executed accordingly —

y<sup>e</sup> Jury for Trials  
were as in Sep<sup>r</sup>  
Court  
M<sup>r</sup> Jn<sup>o</sup> ffrost  
W<sup>m</sup> Harris c<sup>r</sup>  
— — —

— Revp Indian of s<sup>d</sup> marlborow was Alike In-dicted put himself one like tryall c<sup>r</sup> — the Jury brought in their vir-dict they found him not Guilty

— mampaus nackosut Indian was alike Indicted put himself on like tryall c<sup>r</sup> the Jury brought in their virdict they found him not Guilty

— James Aliass Acompanu<sup>t</sup> Indian was alike Indicted put him-self on like tryall c<sup>r</sup> the Jury brought in their virdict they found him not Guilty

\* Flagg? See Bodge's "Hist. of King Phillip's War," p. 352.

† Blank in the original.

— John Alias Anusquenu' Indian was alike Indicted put himself on like tryall & the Jury brought in their virdict they found him not Guilty —

— Peter aljas Paguskmēut Indian was alike Indicted put himself on like tryall & the Jury brought in their virdict they found him not Guilty

— muckscumpey Indian was alike Indicted put himself on like tryall & the Jury brought in their virdict they they found him not Guilty

— Jn° Alia' Mucksumquenut Indian was Alike indicted put himself on like tryall & the Jury brought in their virdict they found him not Guilty.

— Thomas Alia' mumucksuncasusucquate' Indian was alike Indicted put himself on like tryall & the Jury found him not Guilty =

— James nanapatu was alike Indicted pleaded alike not Guilty put himself on tryall on the bench: who perving the evidences produced ag' him (by Cap' ffishe' & Left way Appointed Attorney' by y<sup>e</sup> Court on behalf of the Country to Implead him & the Rest) saw Cause to acquitt & dischardg him

David Indian & Phillip' man was ordered to be sent away by the Treasurer of the Country —

The Court ordered old Jethro Indian for his abusive speeches to be whipt And that he & the rest of the Indians aboue named Acquitted by y<sup>e</sup> Jury shall be dischardged & sent for y<sup>e</sup> end by Jn° Watson to Cambridg Prison & warrant Issued out to Jn° Watson to Conduct the said Indians to the keep<sup>r</sup> of the prison at Cambridge and from him to take & Conduct them to natick to waban the Rule<sup>r</sup> of natick by him to be releast only whipping or Causing Jethro to be whipt w<sup>th</sup> thirty stripes for his wicked speeches vttered by him in m<sup>r</sup> willurds yard at Groaton for wch he is Convicted

In the Case of Jn° ffoster accidentally dischardging gun[s] at foules on y<sup>e</sup> neck thereby wounding Samuel fflocks son so as he djed the Court sentenct him to pay the fathe<sup>r</sup> of the boy tenn pounds and to pay tenn more as a like fine to the Country. wch was declar'd

and on his humble peticon the Court saw Cause to Remit five pounds of the Country\* fine —

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1675

The Court Judged it meet to fine Jacob Jesson the sume of tenn pounds mony for his Contemptuous Carriage in the Court in obstructing the eleven of the Jury dissenting from them from tyme to tyme & not Giving the Court a sattisfactory Reason —

Mr Jacob Jesson  
find ten pounds for  
obstructing y<sup>e</sup> Jury  
c<sup>r</sup>

Att A Court of Admiralty or Court of Assistants held at Boston 1<sup>st</sup> of october 1675

The Court on pervsall of the libell of m<sup>r</sup> Thomas Russell & m<sup>r</sup> Jn<sup>o</sup> Phillips plaintiffs against m<sup>r</sup> John Patten as he is Agent factor or Assignee of Jn<sup>o</sup> Bayly merchant finding the plaintiffs haue missed it as to their missing\* it as to their returne nothing Appeared to be secured the Court Ordered the plaintiffs to pay y<sup>e</sup> chardg of the Court & office's fees. y<sup>e</sup> deffend<sup>nt</sup> making default by not appearing when called The Court on y<sup>e</sup> Requests of the plaintiffs doe Judge meet to grant them another Court of Admiralty to be held in Boston on the seccond day next fowe'th Instant. —

present  
Jn<sup>o</sup> Leueret Esq<sup>r</sup> Go<sup>o</sup>  
Symon Bradstreet  
Daniel Gookin  
Rich. Russell  
Edward Ting  
w<sup>m</sup> Stoughton  
Thomas Clarke  
— — — —

} Esq<sup>rs</sup>

Att A Court of Admiralty or Court of Assistants held at Boston 4<sup>th</sup> octobe<sup>r</sup> 1675

The Court after the due pervsall of the libell & Complant of Thomas Russell & Jn<sup>o</sup> Phillips of charls-Toune merchants Complayning of & Aganst Jn<sup>o</sup> Patten merchant as he is Agent factor partner or Assignee of Jn<sup>o</sup> Bayly of Rochell in ff<sup>r</sup>ance merchant together w<sup>th</sup> the evidences in the Case produced doe find for the deffend<sup>t</sup> and doe order & decree that the plaintiffs pay the said Costs chardg of this Court & office's fees —

present  
Jn<sup>o</sup> Leueret Esq<sup>r</sup> Go<sup>o</sup>  
Symon Bradstreet  
Dant Gookin  
Rich<sup>d</sup> Russell  
Tho Danforth  
Edw Tyng  
Thomas Clarke  
— — — —

} Esq<sup>rs</sup>

Att A Court of Assistants or Court of Admiralty Called by the Go<sup>o</sup>no<sup>r</sup> & Council & held at Boston the nineteenth of November 1675 —

In the Case brought to this Court by John Grafton exhibbiting his libell & Complant against Lawrenc Zackariah s[hi]ce a dutchman master of

present  
Jn<sup>o</sup> Leueret Esq<sup>r</sup> Go<sup>o</sup>  
Symon Bradstreet  
Daniel Gookin  
Rich<sup>d</sup> Russell  
Tho. Danforth  
Edw<sup>d</sup> Tyng  
Tho: Clarke  
— — — —

} Esq<sup>rs</sup>

\* "It as to their missing" appears to be superfluous.

a Catch now called the Hopewell formerly the nightingall the said s[hi]ce Appeared & denyd that he was master of the said Catch and that he would stand to the Tryall of the Case Affirming that he Could & would produce Judication for hir and in open Court owned the said Catch formerly to belong to the said John Grafton and was then Called the Nightingale so the Case proceeded And after the evidences produced the said \* w<sup>m</sup> Demeire declaring that his originall Judication was in his Fathers Custody at New Yorke and desired that he might haue time allowed him to produce it on Consideration whereof The Court declared that no ffynall decree should passe about it till the next Court of Assistants being the 1<sup>st</sup> tuesday in march next to be held at Boston that he had his request Granted him any time betweene this & that to produce his Judication to the said Court Giving sufficient bond w<sup>th</sup> sue'tjes to the Treasurer of the Country to the double value the said Catch shall be vallued at Jointly & seuerally that he shall then appeare and

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1675

persons Returnd to  
serve on y<sup>e</sup> Grand  
Jury & sworne were  
m<sup>r</sup> Tho Brattle  
Joseph Cooke  
Jonah Clarke  
Richd wooddy  
Abell Porter  
Theophilus ffrary  
Sam: Shrimpton  
Jn<sup>e</sup> Peirpoint  
Hugh Clarke  
Jn<sup>e</sup> Edy  
Tho Hastings  
Richd Leeds  
w<sup>m</sup> Pond  
Edw Carrington  
w<sup>m</sup> Johnson

persons Returnd &  
servd on the Jury of  
tryalls  
Left Richard way  
John Greene  
Tho Parke  
Nath Dauensport  
James Brayden  
Tho Berry  
John Stebbins  
John Newell

abide by, & Respond the Judgment & decree of that Court of Admiralty relateing to the said Catch and the Case to Continue to that time. —

maurice Brett was Indicted by the name of Maurice Brett now of Boston for not hauing the feare of God before his eyes being instigated by the diuill did on the                   † day of                   † last Comitt Adultery w<sup>th</sup> mary Gibbs contrary to the peace of ou<sup>r</sup> Soueraigne Lord the king his Crowne & dignitie the lawes of God & of this Jurisdiçion To wch Indictment he pleaded not guilty put himself on trjall on God & the Country After the Indictment & evidences in the Case produced were read Comitted to the Jury the Jury brought In their virdict they found him not legally Guilty but Guilty of very filthy carriage & The Court Considering the Case sentenct him to goe from hence to y<sup>e</sup> prison & thence to be Carried to the Gallows & there w<sup>th</sup> a Roape about his necke to stand half an hower & thenc tjed to the Carts tajle & whipt

\* W<sup>m</sup> Demeire not mentioned before in the record.

† Blank in the original.

seuerely w<sup>th</sup> thirty || nine || stripes and that he be banished this Jurisdiction & kept in prison till he be sent away paying the prison chardges, he is discharged

Nath Coolidge  
Jn<sup>r</sup> B[ruse] [unc5]  
Richd Leadbetter  
obadiah Hawes  
John Smith

Mary Gibbs the wife of \* Gibbs of Boston for y<sup>e</sup> same fact was alike Indicted e<sup>r</sup> and found, had the like sentenc banishment excepted —

John weaver was Called & none Appearing to prosecute him for wounding Cole paying the keepe's due was discharged

Georg Robbins & Jn<sup>r</sup> Largin being both Indicted & not found Guilty of killing y<sup>e</sup> Indians were bound ouer to the next County Court at Cambridg in Aprill next to Ans<sup>r</sup> for their wounding of the Indians vnder the Courts protection Giving their oune bonds so to doe All the euidences in yr Case Returned to that Court —

In the Case of maurice Brett for his Contemptuous Carriage Confronting the sentenc of this Court was sentenet to stand in the pillory on y<sup>e</sup> morrow at one of y<sup>e</sup> clock his eare nayld to ye pillory & after an howrs standing there to be cut of & to pay twenty shilling for his swearing or be whipt w<sup>th</sup> ten stripes

Jn<sup>th</sup>an Crispe & John Barrat in fforty pounds apeece w<sup>th</sup> their sue'tjes in 20<sup>th</sup> apeece Cap<sup>t</sup> Sam Addams solomon Keys to the Tresurer of y<sup>e</sup> Country that they shall appeare Attend the Court & Abide their Judgment at y<sup>e</sup> Courts Adjo'n<sup>t</sup>

Jn<sup>r</sup> Parke<sup>r</sup> was alike bound in forty pounds w<sup>th</sup> James Conds & Tho Parker his surtyes to the Tresurer of the Country on Condiçon that he also abide the order & sentence of the Court e<sup>r</sup> —

In Ans<sup>r</sup> to the Humble petition of maurice Brett Humbly beseeching y<sup>e</sup> Courts favo<sup>r</sup> e<sup>r</sup> the Court Remitted y<sup>t</sup> pt of y<sup>e</sup> sentenc of nayling & Cutting of his eare

This Court is Adjourned till the 30<sup>th</sup> Instant at nine of y<sup>e</sup> clocke & thence to the 4<sup>th</sup> december 1675

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\* This space left blank in the original.

Jn<sup>o</sup> Parker Jonathan Crispe & Jn<sup>o</sup> Barrat The  
 The Court mett at 7<sup>o</sup> Court orde's yo<sup>v</sup> to Repaire home & to Appeare at the  
 time = 4 Dec, 75 Randevous at dedham wednesday next at eleven of  
 the clocke euery way fitted & Compleatly Armed and furnished with  
 clothes and to march forth w<sup>th</sup> the forces. —

[39]

1675

present  
 The Go<sup>o</sup>no<sup>r</sup>  
 m<sup>r</sup> Bradstreet  
 Cap<sup>t</sup> Gookin  
 m<sup>r</sup> Russell  
 m<sup>r</sup> Danforth  
 m<sup>r</sup> Ting  
 m<sup>r</sup> Tho Clarke  
 — — — —

Att A Court of Admiralty or Court of Assistants  
 Called & held at Boston 16 Dec 1675

In the Case brought to this Court by the libell &  
 Complaint of Nicholas Skinner master of the ship  
 Doue in behalfe of himself & Company against the  
 sajd ship Doue nicholas moule<sup>r</sup> p<sup>t</sup> ouno<sup>r</sup> of the sajd  
 ship & James Loyd his Assignee deffend<sup>t</sup> for wages  
 for himself sajd Skinner & Company & expences layd out on sajd ship  
 — This Court finds for the plaintiffe and orde's & decrees that the  
 deffendant pay unto the plaintiff the sume of two hundred sixteene  
 pounds nine shillings & fowe<sup>r</sup> pence damage in mony & costs of this  
 Court three pounds sixteen shillings —

In the Case of James Elson master of the ship Blessing in behalfe  
 of himself & his ouno's of sajd ship plaintiffe against m<sup>r</sup> Richard  
 wharton deffend<sup>t</sup> brought to this Court by his libell & Complaint The  
 Court duely Considering the pleas & evidences in the Case produced  
 doe orde<sup>r</sup> & decree the plaintiff to pay the deffendant the Costs of this  
 Court — fowe<sup>r</sup>teen shillings

This Court is dissolved

present  
 Jn<sup>o</sup> Leueret Esq<sup>r</sup> Go<sup>o</sup>  
 Sam Symonds Esq<sup>r</sup>  
 dep<sup>t</sup> Go  
 Symon Bradstreet  
 Daniel Gookin  
 Daniel Dennison  
 Symon Willard  
 Rich. Russell  
 Tho Danforth  
 Edw<sup>d</sup> Tyng  
 w<sup>m</sup> stoughton  
 Tho Clarke  
 — — — —  
 persons Returnd to  
 serve on ye Grand  
 Jury =  
 — — — —

Esq<sup>r</sup>

Att A Court of Assistants held at Boston the  
 7<sup>th</sup> of march 1675/6.

at this Court w<sup>m</sup> Demeire appeared by his  
 ffather Nicholas Demeire as did John Grafton by  
 his Attorney Anthony checkly according to the  
 Court of Admiralty in Nouembe<sup>r</sup> last Adjourn<sup>d</sup> and  
 after the evidences in the Case produced were  
 Read & pervsed the Court declared they found for  
 the Deffend<sup>t</sup> m<sup>r</sup> Demeir originally Costs of Court  
 fowe<sup>r</sup> pounds seventeen shillings & sixpence

In the Case of Attaynt depending betwixt m<sup>r</sup> John



Woodmansey plaintiffe and m<sup>r</sup> John ffrost foreman in behalfe of y<sup>e</sup> Jury of Appeales deffendant after the Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to y<sup>e</sup> Jury & are on file the Jury brought in their virdict they found for the plaintiff allowing full damage or Costs of Court to the originall suite as the law for Attaints provides and Gaue in their Reason because we find one hundred forty seven pounds seven shillings and eight pence of Tho Joys charge given him for which ther<sup>e</sup> no prooffe but his oune oath 2 ly because the Jury Attainted haue Given the said Joy three hundred forty fower pounds seventeen shillings & eight pence which is not only more debt then is legally prooved but obleidged to be paid in prouissions a species not sued for & for the two hundred thirty seven pounds fueteen shillings which is plainly due by m<sup>r</sup> woodmancy<sup>e</sup> acknowledgment it concernes not this Jury it being a distinct Case from that Comitted to us wee being only obleidged to Attend that Case that m<sup>r</sup> woodmansey is bound to prosecute which is the Jury<sup>e</sup> Atteint not the debt to Tho Joy — Thomas Broughton foreman of y<sup>e</sup> Jury

w<sup>m</sup> Parks  
Tho weld  
w<sup>m</sup> Johnson  
w<sup>m</sup> Dady  
Rich. Robbins  
John Greene  
Henry Bright  
Elliz Barron  
Jer. ffitch  
Joseph How  
Tho watkins  
Edw<sup>d</sup> Grant  
Theoder Atkinson  
Rich<sup>d</sup> Leeds  
W<sup>m</sup> Sumner  
— — —  
no work Appearing  
they were dismist

[40]

1675

James Elson master of the ship blessing plantiff ag<sup>t</sup> m<sup>r</sup> Rich<sup>d</sup> wharton & m<sup>r</sup> Thomas Bendish deffend<sup>t</sup> in an Accon of Appeale from the Jury<sup>e</sup> & Courts Judgment || virdict || in the last County Court in January last & after the Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts

W<sup>m</sup> Cogswell plaintiff against John Cogswell in an Accon of Appeale from the virdict of y<sup>e</sup> Jury & County Courts Judgment at Ipswich After the Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation

persons Returnd to  
serve on the Jury for  
trjalls of Appeales  
& s<sup>w</sup>orne  
were =  
— — —  
1<sup>st</sup>  
m<sup>r</sup> Thomas Brough-  
ton  
Phillip Searle  
Joseph Wise  
Nath: Seavor  
Sam Douse  
Walter Hastings  
Tho Langhorne  
Tho flagg  
W<sup>m</sup> Gibson  
Nath Blage  
Anthony Heywood  
Nath Byfelld  
James ffoster  
— — —  
person Returnd to  
serve on y<sup>e</sup> second  
Jury & s<sup>w</sup>orne were  
— — —  
m<sup>r</sup> John Phillips

Phillip Searle  
J<sup>no</sup> Chandler  
Tho Chadwell  
Rich<sup>d</sup> Eccles  
Andrew Boardman  
J<sup>no</sup> Sawin  
Nath Thayer  
phasant Eastwick  
Steven Burton  
Nath Clap  
James Taylor  
— — — —

of the former Judgment & Costs of Courts and also the said plantiffe Giue a Just & legall accompt to the deffendant as sued for at or before the sixteenth of June next ensuing vpon the poenalty of the sume of three hundred pounds = costs fuety fowe<sup>r</sup> shillings & two pence

Samuel & margaret Bishop executo<sup>r</sup> & executrix to the late Thomas Bishop plaintiff against Francis wainewright deffend<sup>t</sup> in an action of Appeale from the Judgment at y<sup>e</sup> last County Court at Ipswich = After the Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts thirty seuen shillings one penny

exec Issued out &  
Returnd on file in  
y<sup>e</sup> Case

Richard wooddy plaintiff in an action of Appeale Ag<sup>t</sup> John Harrison sen<sup>d</sup> deffend<sup>t</sup> from the Courts Judgment in January last in Boston. After the Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are Remayning on file with the Reccords of this Cour<sup>t</sup> the Jury brought in their virdict they found for the plaintiff A reuersall of the forme<sup>r</sup> Judgment w<sup>th</sup> two shillings damage and Costs of Courts five pounds & three pence and the Highway sued for to be as formerly

James floord being bound ouer to this Court to Ans<sup>r</sup> for his driving ~~ouer~~ a Cart ouer Abigaile King that the child died After the Court had duely Considered the Case sentenct him to pay the fine of five pounds to the Country & five pounds mony to Its fathe<sup>r</sup> Samuel King :

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1675

Richard Scott was Called the evidenc ag<sup>t</sup> him w<sup>th</sup> his letter wch he denied refferd himself for trjall to the Bench was Comitted to prison there to lye till the Court took further order =

Richard Scott was called being at the barr the wittnessed his \* letter to majo<sup>r</sup> Savage was also produced & Read wherein many vntruths & seuerall reproachfull were written & on enquiry m<sup>r</sup> scott declared that Ezekiel flogg wrote it e<sup>r</sup>

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\* This word appears to be superfluous.

Rich<sup>d</sup> Scott in two hundred pounds Anthony cheeckly & James whetcombe in one hundred pounds a peece as his sue'tjes acknowledged themselves bound respectively to the Tresure' of the Country on this Condition that he the said Richard Scott shall attend the Court from tyme to tyme & Abide the Sentence of the Court this  
done in open Court 14 m<sup>ch</sup> 75/6

The Court on a full hearing what Richard Scott Could say Considering his offence sentenct him the sume of one hundred pounds to major Gookin whom he had so vilely reproacht & vnworthily and that he pay a fine to the Country fuyty pounds and to be bound to his Good behaiour himself in twenty pounds and two sue'tjes in tenn pounds apeece standing Comitted till this sentence be pformed

Ezekiel ffogg being Called who not only abused Richard scott in indicting and writing such a scurrillows letter putting a superscription vpon it whereby Authority was abuse[d] The Court sentenct <sup>^</sup> to pay as a fine to the Country fuy pounds mony standing Comitted till the sentence be performed —

Att A Court of Assistants or Admiralty held at Boston 29 m<sup>ch</sup> 1676.

Jonathan Woodman plaintiff against m<sup>r</sup> Bartholmew stratten Elisha Hutchinson for himself & for Elisha Sandford John Poole & mary the administratrix of Henry Kembles estate deffendants ouno's of the ship Salamande', built by the plaintiffe for w<sup>th</sup>holding his payment for the said ship: The Court hauing heard and Considered the plea' and evidences in the case produced doe find for the plaintiffe damages one hundred eighty five pounds in the specie & manne' following viz' from Bartholmew stratten for one eighth part twenty three pounds two shillings & sixepence Elisha Hutchinson one quarter pte forty six pounds fuy shillings payable in Goods at merchants price and for Elisha sandford for one quarter part which he vndertooke for forty six pounds fuy shillings halfe in mony and halfe in Goods; John Poole for one quarter pte forty six pounds fuy shillings halfe in mony and halfe in goods at merchants price Mary Administratrix of the said Henry Kemble for one eighth part twenty-three pounds two shillings & six pence halfe mony halfe Goods at the merchants

present	
Jn <sup>r</sup> LeDet Esq <sup>r</sup> GoB	
Symon Bra[d]street	
Daniel Gookin	
Symon willard	
Rich <sup>d</sup> Russell	
Tho. Danforth	
Edw <sup>d</sup> Ting	
Wm Staughton	
Tho Clarke	
— — — —	

} Esq<sup>rs</sup>

price this whole sune of one hundred eighty five pounds to be pajd to the plaintiffe in full of the Hull of the sajd ship Sallamander

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1676

w<sup>th</sup> Costs of Court seuen pounds tenn shillings & two pence — And the worke of the builde<sup>r</sup> left vnfinished is abated by the Court and not recconed in the some aboute sajd. —

Jonathan woodman Appearing in Court The Court demanded of him whether he had had his ship surveyed as the law directs wch was Read he sajd he had no<sup>t</sup> pretending to Ignorance of the law & hauing some shipwrights vejwing it thought it was sufficient The Court declared that they Imposed the fine of tenn pounds on him for\* his wages according to law to be pajd to the treasurer

Courts order as to  
officers fees at Court  
of Admiralty

The Court ordered the marshall to be allowed halfe a croune which <sup>^</sup> pajd in Court & fowe<sup>r</sup> shillings for serving fowe<sup>r</sup> warrants —

As also the Secretary<sup>s</sup> fees for receiving entring the libell action and recording it five shillings and for warrants as the marshall — one shilling

21<sup>st</sup> July 1676

In Ans<sup>r</sup> to the petiçon of & motion of Thomas Lynde & Capt Hamond<sup>s</sup> motion a Court of Admiralty is Granted by the Go<sup>o</sup>no<sup>r</sup> & magistrate<sup>s</sup> to be held at Boston 26 Instant at two of the clock in y<sup>e</sup> Afternoone as Attests Edward Rawson secret<sup>r</sup>

present  
y<sup>e</sup> Go<sup>o</sup>no<sup>r</sup>  
deput<sup>y</sup> Go<sup>o</sup>  
m<sup>r</sup> Danforth  
m<sup>r</sup> Ting  
m<sup>r</sup> Stoughton  
m<sup>r</sup> Clarke  
m<sup>r</sup> Dudley

Att A Court of Admiralty held at Boston 26 of  
July 1676

Attachment & seuerall sumons for witnesses  
Issued out *er*

Thomas Lynde master of the Catch Pellican by his libell complayning in behalfe of him self & owne<sup>s</sup> plaintiff against Daniel Dauisson of charlsToune merchant deffendant for that he the sajd Daniel Dauison hath neglected to pay vnto the sajd plantiffe the sune of forty one pounds money for y<sup>e</sup> hire of the sajd Catch for sixe month<sup>s</sup> twenty five dayes as p<sup>r</sup> charter pty he was bound to pay as also

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\* Evidently an error in the record for "from."

for not paying the some of sixty six pounds three shillings & two pence mony for the seamens wages in all one hundred & six pounds two shillings \* After the libell w<sup>th</sup> the sumons & Attachment & evidences in the Case produced ¶ were Read ¶ & duely Considered ¶ of ¶ the Court orde's & decrees that the sajd Daniell Davison deffendant pay unto the sajd Tho Linde plantiffe the some of one hundred & six pounds three shillings two pence \* mony w<sup>th</sup> Costs of Court in mony three pounds nine shillings —

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1676

on the motion of m<sup>r</sup> Richard Lord & m<sup>r</sup> Jn<sup>o</sup> Blackleach a Court of Admiralty was Granted to be held in Boston the 31 of y<sup>r</sup> Instant July 1676

the Go<sup>mo</sup>  
dep<sup>t</sup> Go<sup>mo</sup>  
m<sup>r</sup> Danforth  
m<sup>r</sup> Tyng  
m<sup>r</sup> Stoughton  
m<sup>r</sup> Clarke  
m<sup>r</sup> Dudley

Attachment [& se<sup>o</sup>ll] sumons Issued out after they had entred their libell

Att A Court of Admiralty called & held at Boston the 31<sup>th</sup> July 1676

Richard Lord & John Blackleach merchants plaintiff<sup>s</sup> by their libell exhibbited to this Cour[t] Against Richard wharton & Company defendants for breach of charter party After the libell & evidences in the Case produced were read & duely Considered of the Court declares that they ordered & decreed that the plaintiff<sup>s</sup> pay unto the deffendant Costs of Court

on the motion of charls Hodsda! pylot of Ship nevis facto<sup>r</sup> & Bartholmew Hoope<sup>r</sup> w<sup>th</sup> Georg Keith an ~~Admirall~~ ¶ Admiralty ¶ Court was Granted to be held at Boston the 28 of August Instant

22<sup>th</sup> August  
By y<sup>r</sup> Go<sup>mo</sup> &  
magiste

¶ Attachments & sumons Issued out after their libells were entred ¶

Att a Court of Admiralty held at Boston 28<sup>th</sup> August 1676.

psent  
y<sup>r</sup> Go<sup>mo</sup>  
dep<sup>t</sup> Go<sup>o</sup>  
m<sup>r</sup> Danforth  
m<sup>r</sup> Tyng  
m<sup>r</sup> Stoughton  
m<sup>r</sup> Clarke  
m<sup>r</sup> Dudley

In the Case of charls Hodsda! Pylot by his libell Complayning against Sam: Davis master of ship nevis facto<sup>r</sup> & sajd ship for refusing to pay him his wages for his se<sup>r</sup>vise donn in the said ship as Pylot fue pounds p moneth from the 22<sup>th</sup> february last to the 30<sup>th</sup> of July last After the libell & evidences in the Case produced were read & duely Considered The Court ordered & decreed that the sajd Sam.

\* There is evidently an error in the record here.

Davis master & said ship make good y<sup>e</sup> payment of twenty six pounds five shillings to the said Charls Hodsdales pilot in money as his damage & Costs of Court forty one shilling =

In y<sup>e</sup> Case of Bartholmew Hooper Carpenter of ship nevis factor by his s<sup>d</sup> libell Complayning ag<sup>t</sup> Samuel Davis master of said ship for refusing to pay him his wages for worke donne in said ship as Carpenter || after 54<sup>th</sup> p month from 25 octob<sup>r</sup> to 30<sup>th</sup> July || after the libell & evidences in the Case produced were read & duely Considered the Court found ffor the plaintiff twenty fower pounds fueteen shillings mony & orde's & decrees that the said Davis & sd ship pay the said Bartholmew Hooper y<sup>e</sup> plaintiff y<sup>e</sup> sd sume w<sup>th</sup> Costs of Court forty one shillings. =

George Keith by his libell exhibited to this Court Plaintiffe against Samuel Davis master of the ship nevis factor deffendant Complayning against the said Davis as maste<sup>r</sup> for Refusing to deliuer him his logwood put aboard him after the libell & evidences in the Case produced were duely read & Considered the Court found for the plaintiffe his logwood being five hundred thirty six sticks marked as by the boatswaynes Receipt once w<sup>th</sup> in three dayes or els pay the plaintiffe two hundred pounds in money & Costs of Court three pounds five shillings =

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1676

In the Case of m<sup>s</sup> Elisabeth Lydget executrix to the last will & testament of m<sup>r</sup> Peter Lydget deceased in the behalfe of himself & the rest of the ouno<sup>r</sup> of the Catch Content by hir libell exhibbited to this Court plaintiffe against John Poole merchant & w<sup>m</sup> Trott marriner deffendants for not paying freight for the said Catch nor deliuering the said Catch as p Charter pty they were bound after the libell Attachment & evidences in the Case produced were read & duely Considered The Court doth Giue Judgment for the plaintiffe the forfeiture of the bond of five hundred pounds Given for performanc of Charter pty respitting execution to the nex<sup>t</sup> Court of Admiralty after two month<sup>s</sup> in which time the deffendant may present his plea for chancery of his bond & Costs of Cour<sup>t</sup> = vide fol 65 =

present  
The Go<sup>v</sup>nor  
Dep<sup>t</sup> Go<sup>v</sup>nr

Att a Court of Assistants held at Boston the  
5<sup>th</sup> of September 1676 Jn<sup>o</sup> Ruggles plaintiff against

James Hudson deffendant in an action of Appeale from the Judgment of the Commissione's Court After the Attachment Courts Judgment Reasons of Appeale and evidences in the Case produced were read Comitted to the Jury & are Remayning on file the Jury brought in their virdict they found for the plaintiffe reuersion of the forme' Judgment & Costs of Courts twenty six shillings & Eight pence

Exec  
Issud out  
12 8 76  
mo

Symon Bradstreet  
Daniel Dennison  
Tho Danforth  
W<sup>m</sup> Hathorne  
J<sup>n</sup> Pynobon  
Edw<sup>d</sup> Tyng  
W<sup>m</sup> Stoughton  
Thomas Clarke  
Joseph Dudley

Requ

persons to serve on  
y<sup>e</sup> Grand Jury &  
sworn were —  
— — —  
m<sup>r</sup> Richard Collocott  
Richard way  
J<sup>n</sup> vyal self  
Benja Negus  
J<sup>n</sup> Blake  
Tho Dewer self  
Giles Pason  
Robert willjams  
Tho Hastings  
Joseph Beamis  
Laurenc Douse  
w<sup>m</sup> Foster  
Richd Hall  
Ralph Houghton  
J<sup>n</sup> Stone  
Walter Hastings  
— — —

1<sup>st</sup> Andrew NewComb plaintiff on Appeale from the Judgment of the County Court in Boston in Aprill last After the Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & Remajne on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found the Confirmation of the forme' Judgm<sup>t</sup> & costs of Courts :

2<sup>nd</sup> W<sup>m</sup> Rauson plaintiff against Habbacuck Glouer John Glouer & Pelatiah Glouer deffendant in an Acton of Appeale from the Judgm<sup>t</sup> of the || last || County Court in Boston After the Courts Judgment Attachm<sup>t</sup> Reasons of Appeale and evidences in the Case produced were read Comitted to the Jury & Remajne on file w<sup>th</sup> the Reccords of this Court the Jury Brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts

2<sup>nd</sup> W<sup>m</sup> Rauson plaintiff against Abraham Briggs defendant in an Acton of Appeale from the Judgment of the last County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment and costs of Courts —

persons Returnd to  
serve on the Jury of  
trjalls & sworne =  
— — —  
[1<sup>st</sup>]  
m<sup>r</sup> John Hubbard  
Richd Bulkley  
Sam Rugles :

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1676

J<sup>n</sup> Gifford plaintiff ag<sup>t</sup> Abraham Briggs deffendant in an action of A from the Judgment of the County

Tobias Davis  
Thom : flegg  
J<sup>n</sup> Morse

Sam Petree  
 Zachary Johnson  
 Tho Welch  
 Roger Billing  
 James Bird  
 Nicholas Bolton  
 — — — —  
 persons Returned to  
 serve on the second  
 Jury & sworn = \*

Court in Boston After the Attachm<sup>t</sup> Courts Judgment  
 Reasons of Appeale & evidences of the Case produced  
 were read Comitted to the Jury & Remajne on file  
 w<sup>th</sup> the Reccords of this Court they brought in their  
 virdict they found for the deffendant Confirmation of  
 the former Judgm<sup>t</sup> & Costs of Courts =

Jn<sup>o</sup> Conney & Samuel Sendall plaintifffs ag<sup>t</sup> the  
 Judgment or sentence of m<sup>r</sup> Anthony Stoddard, Comissioner in Boston  
 the sentence & Reasons of Appeale being Read and Comitted to the  
 Jury & Remajne on file the Jury brought in their virdict they found  
 for the Appellant Reuersion of the former Judgm<sup>t</sup> & Costs of Courts

Jn<sup>o</sup> Alden plaintifffe || ag<sup>t</sup> majo<sup>r</sup> Thomas Clark deffend<sup>t</sup> || in an  
 Action of Appeale from the Judgment of the County Court in July last  
 in Boston After the Courts Judgm<sup>t</sup> Attachm<sup>t</sup> Reasons of Appeale &  
 evidences in the Case produced were read Comitted to y<sup>e</sup> Jury & are  
 Remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in  
 their virdict they found for the defendant Confirmation of the forme<sup>r</sup>  
 Judgm<sup>t</sup> & Costs of Courts :

W<sup>m</sup> Cogswell plaintifffe in an action of Appeale against John Cogswell  
 deffend<sup>t</sup> ffrom the Judgment of the County Court at Salem last  
 After the Attachment Courts Judgment Reasons of Appeale & eu-  
 idences in the Case produced were Read Comitted to the Jury & Remajne  
 on file w<sup>th</sup> the Reccords of this Court the Jury brought in a speciall  
 virdict i e If the Judgment of the Court of Assistants was a legall  
 foundation for a process for the present deffendant wee find for the  
 deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts if  
 not wee finde for the plaintifffe & reuerse the forme<sup>r</sup> Judgment & Costs  
 of Courts The Court finds for the plaintifffe & Reuerse the former  
 Judgment & grants Costs of Courts

Jonathan Heynes plaintifffe against Peter Toppan deffendant in an  
 action of Appeale from the Judgment of the County Court at Ipswich.  
 After the Attachment Courts Judgment Reasons of Appeale & eu-  
 idences in the Case produced were read Comitted to the Jury and are on  
 file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict

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\* The names of the second jury are not given.



they found for the plaintiffe Reuersion of the forme' Judgment & Costs of Courts —

Walter Barefoote plaintiffe against w<sup>m</sup> shackford deffendant in an action of Appeale from the Judgment of the County Court at portsmouth After the Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme' Judgm' & Costs of Courts —

m' Jn<sup>o</sup> Joyliffe majo' Tho Sauage m' Humphry Davy m' Anthony Stoddard Cap' Tho Bratle Cap' Tho Clarke Cap' John Richards chosen by the freemen of Boston for this yeare were Allowed & Approved of by the Court —

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Edward Tyng Esq' plaintiffe against Joseph Danis deffendant in an action of Appeale from the Judgment of the Comissione's Court in Boston After the Attachment Courts Judgment Reasons of Appeale & othe' evidences in the Case produced were read Comitted to the Jury & Remayne on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiffe Reuersion of the forme' Judgmen' & three pounds in siluer according to bill & Costs of Courts 18<sup>l</sup> 6<sup>d</sup>

Thomas Woodbridge plaintiffe ag<sup>t</sup> w<sup>m</sup> Gerrish señ deffendant in an action of Appeale from the Judgment of the County Court at Salem last as to deffamation — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury on motion made of Compromising this & two othe' Accõs of Appeale of the sajd woodbridge ag<sup>t</sup> the sajd Gerrish on Revejw on Account & on Revejw from the sajd Court the partjes Consenting thereunto & nominating their arbitrato's in p<sup>t</sup> making it knowne y<sup>t</sup> both parties pitched on the Honor<sup>d</sup> Goũno' to be y<sup>r</sup> vmpire hauing entred bond each to othe' to stand to the Award they w<sup>th</sup>drew their Accõs & y<sup>e</sup> Court

3 actions of Tho woodbridge ag<sup>t</sup> w<sup>m</sup> Gerrish w<sup>th</sup> draune by Consent & Referred to Arbitration =

ordered all their pape's dd in Reasons of Appeale *et* to be deliuered vp to them in orde<sup>r</sup> therevnto wch was donn accordingly.

2<sup>d</sup> Jur  
woodbridge ag<sup>t</sup>  
winslow  
Thomas Woodbridge Attorney to Thomas Sexton  
plaintiff against Nath<sup>l</sup> winslow deffendant in an Ac<sup>o</sup>n  
of Appeale from the Judgment of the County Court at  
Hampton. After the Attachment Courts Judgment Reasons of Appeale  
& evidences in the Case produced were read Comitted to the Jury and  
are Remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought  
in their virdict they found for the deffendant Confirmation of the former  
Judgment & Costs of Courts

2<sup>d</sup> Jury  
Shoare ag<sup>t</sup> Gibbs  
Sampson shoare plaintiff against Benjamin Gibbs deffendant in an  
action of Appeale from the Judgment of the County  
Court in Boston in Aprill last After the Courts Judg-  
ment Reasons of Appeale & evidences in the Case pro-  
duced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords  
of this Court the Jury brought in their virdict they found for the  
deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts —

Gilman ag<sup>t</sup> foulesham  
Moses Gilman plaintiff against John foulsham sen<sup>d</sup>  
deffend<sup>t</sup> in an action of Appeale from the Judgment  
of the County Court at Hampton — After the Attachment Courts Judg-  
ment Reasons of Appeale & evidences in the case produced were read  
Comitted to the Jury and are Remayning on file w<sup>th</sup> the Reccords of this  
Court the Jury brought in their virdict they found for the deffendant  
Costs of Courts.

Cox *et* *q* ffog ag<sup>t</sup>  
w<sup>ms</sup>.  
— — — —  
Thomas Cox & Phillip read sue<sup>r</sup>tjes for Ezekiell  
ffog plaintiff ag<sup>t</sup> John willjams deffend<sup>t</sup> in an Action  
of Appeale from the Judgment of the County Court  
in Boston in Aprill last After the Courts Judgment Reasons of Appeale  
& evidences in the Case produced were Read Comitted to the Jury &  
are Remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought  
in their virdict they found for the deffendant Confirmation of the former  
Judgment & Costs of Courts

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1676

Sheaffe ag<sup>t</sup> Hawkins  
Charles oughtred Attorney to Sampson Sheaffe  
plaintiff ag<sup>t</sup> Thomas Hawkins deffendant — After the  
Courts Judgment Reasons of Appeale and evidences in the Case pro-

duced were read Comitted to the Jury and are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the plaintiff Reuersion of the former Judgment & Costs of Courts —


|| 27<sup>a</sup> [& y<sup>a</sup>] Courts Costs ||

Jn<sup>o</sup> Pickering plaintiff ag<sup>t</sup> charles ffrost in an action of Appeale from the Judgment of the County Court held at Portsmouth after the Courts Judgment Reasons of Appeale & other evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgm<sup>t</sup> & Costs of Courts. pickering ag<sup>t</sup> ffrost

Edward Cowell plaintiff against Nathaniel Elkin defend<sup>t</sup> in an action of Appeale from the Judgment of the County Court in Boston. this Ac<sup>o</sup>n was w<sup>th</sup> draune by Consent of partjes. — Cowell ag<sup>t</sup> Elkin

Jn<sup>o</sup> Bennet plaintiffe against Samuel Addams deffendant in an action of Appeale from the Judgment of the County Court in Boston After the Courts Judgment Reasons of Appeale and evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff Reuersion of the former Judgment & Costs of Courts twenty eight shillings & ten pence — Bennet ag<sup>t</sup> Addams

Jn<sup>o</sup> Bennet plaintiff ag<sup>t</sup> widdow \*Gridley || deffend<sup>t</sup> || after the Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are Remajning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts — twenty ~~eight~~ || one || shilling & ten penc Bennet ag<sup>t</sup> Gridley

Rich<sup>d</sup> wharton sue<sup>ty</sup> to Richard Smith plaintiff ag<sup>t</sup> Obadiah Swift Tho Bird & Jn<sup>o</sup> Clarke deffend<sup>ts</sup> in an action of Appeale from the Judgm<sup>t</sup> of the County Court in Boston  this Ac<sup>o</sup>n by Consent of partjes was w<sup>th</sup> draune. — wharton ag<sup>t</sup> Swift

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\* This space left blank in the original.

The Jurys were dismiss

The Court is Adjourned to the 13<sup>th</sup> Instant

present the Goſnor  
Dep<sup>t</sup> Goſnor

m<sup>r</sup> Bradstreet  
m<sup>r</sup> Dani Dennison  
m<sup>r</sup> Danforth  
m<sup>r</sup> Hautborne  
m<sup>r</sup> Pinchon  
m<sup>r</sup> Tyng  
m<sup>r</sup> Stoughton  
m<sup>r</sup> Clarke  
m<sup>r</sup> Dudley  
— — —

The Court mett at y<sup>e</sup> time 13<sup>th</sup> ſeptembe<sup>r</sup> 1676

Thomas Daus late Resident in Boston was Indicted by the name of Thomas Daus for not hauing the feare of God before his eyes & being Instigated by the diuill about the beginning of June last did Comitt Adultery w<sup>th</sup> Elisabeth Browne Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the king his Croune & dignity the lawes of God and of this Jurisdiction the laues of

God & of this Jurisdiction \* to w<sup>ch</sup> Indictment the prison<sup>r</sup> at the barr pleaded not Guilty put himself on hir † tryall by God & the Country After the Indictment & euidence in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found him not Guilty legally according to Indictment but found him Guilty of very suspitious acts leading to Adultery —

The names of the  
Jury men Returnd  
to serve on tryalls of  
life Imbe e<sup>r</sup>  
sworne [ware]

The Court on Con[s]ideration of this virdict proceeded to sentence him to Goe from henc to the place of execution and thenc by the marshall Generall e<sup>r</sup> to be Carrjed to the Gallows on the next Fiuth day after the lecture & there to stand on the Gallows w<sup>th</sup> a Roape

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1<sup>st</sup> Jury  
m<sup>r</sup> J<sup>n</sup> than Balston  
Richard Bulkley  
J<sup>n</sup>than Bridgham  
John Harris  
Richard Whitney  
Symon Coolidge  
Joseph Child  
J<sup>n</sup> Morse  
Tho Welch  
w<sup>m</sup> wright (Sam  
Peirce)  
Tho flegg  
Zackariah Johnson  
— — —

2<sup>d</sup> Jury mens names  
y<sup>r</sup> were Returnd to  
serve on trjalls of  
life e<sup>r</sup> & sworne  
were =  
— — —

about you<sup>r</sup> necke one hower & tjed to the Gallows and thenc at the Carts tajle to to be seuerely whipt not exceeding thirty nine stripes to the prison & there to lye till the nex<sup>t</sup> lecture day at Charls Tounne & carried then thith<sup>r</sup> & be there alike seuerely whip<sup>t</sup> not exceeding thirty stripes & discharging y<sup>or</sup> prison ffees to be dischargd =

Elisabeth Browne the wife of W<sup>m</sup> Browne of Charls Tounne was alike Indicted by the name of Elisabeth Browne for not hauing the feare of God before hir eyes & being instigated by the Diuill about the beginning of June last did Comitt adultery w<sup>th</sup> Thomas Daus Contrary to the peace of our Soueraigne Lord the King his Croune & dignitje the lawes of God

\* Repetition of eight words in the record.

† Evidently an error in the record for "his."

& of this Jurisdiction the prisoner at the barr pleaded not Guilty put himself on God & the Country for his triall after the libell & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury and on file Remajning w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they find him not legally Guilty according to Indictment but doe find him Guilty of Prostituting his body to him to Comitt Adultery The Court p<sup>er</sup>vysing this sentence do order yow to Goe from hence to the place from whence yow Came & thenc on the next lecture day by the marsha<sup>n</sup> Gen<sup>l</sup> to be Conducted to the Gallows & by the executioner to haue a Rope tied about your neck to y<sup>e</sup> Gallow & so there to stand one howe<sup>r</sup> & thenc to be tyed to the Carts tayle & seuerely whipped not exceeding thirty nine stripes to the prison & thr left till the next lecture day at CharlsToune & then Carrjed ouer & be there alike seuerely whipt w<sup>th</sup> thirty stripes & discharging yo<sup>r</sup> prison ffes yow are discharged —

Mr Roger Billing  
Left Hugh Drury [in  
forem<sup>as</sup>]  
Nath. Frothingham  
James Bird  
Nicholas Bolton  
Tim<sup>e</sup> Tileston  
Tho Toleman  
Roger Su[mn]er  
Humphry Bradshaw  
Tho Foster  
J<sup>u</sup>sthan Remington  
Rich Ell[is]  
noah wisewall  
in R[emin]gton steed  
objected ag<sup>t</sup> by  
Dan Hos[re] &  
Wilder  
— — — —

Stephen Goble of Concord thow art Indicted by the name of Steeven Gobl for not having the feare of God before thy eyes & being Instigated by the divill w<sup>th</sup> other thy Complices at or on the seuenth of August last at or neere Hurtleberry Hill in the woods in the precincts of Concord or neere thereabouts did murde<sup>r</sup> & kill three Indian weomen & three Indian children Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the king his Croune & dignity the lawes of God and of this Jurisdiction. After the libell & evidences in the Case produced were Read Comitted to the Jury are Remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict i e they found him Guilty. — And Accordingly sentenc of Death was pronounc ag<sup>t</sup> him that he should Goe from henc to y<sup>e</sup> place from whence he came & thenc to the Gallow<sup>s</sup> and thr be hangd till thou beest dead.

Daniel Goble of Concord thou art Indicted by the name of Daniel Goble In the County of Midlesex in New England for that thow not hauing the feare of God before thy Eyes & being Instigated by the divil w<sup>th</sup> othe<sup>r</sup> thy Accomplices at or on the seventh of August last at or nere Hurtlebury Hill in the woods in the precincts of Concord or neere thereabouts did murder and kill three Indian weomen and three Indian children Contrary to the peace

Daniel Gobles In-  
dictm<sup>t</sup>

of our Soueraigne Lord the king his Croune & dignity the law of God and of this Jurisdiction — to which Indictmen[t] the prisone<sup>r</sup> at the barr pleaded not Guilty & put himself on his triall by God and the Country: After the Indictment & evidences in the Case produced were Read Comitted to the Jury and are Remayning on file w<sup>th</sup> the reccords of y<sup>e</sup> Court the Jury brought in their virdict the[y] found him Guilty — And accordingly had sentenc of Death pronounc<sup>t</sup> ag<sup>t</sup> him by the Go<sup>o</sup>no<sup>r</sup> yow shall Goe from hence to the place ~~of exee~~ from whence yow Came & from thence to y<sup>e</sup> place of execution & there be hang<sup>d</sup> till yow be dead: & y<sup>e</sup> Lord be mercifull to thy soule.

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Nath wilders  
Indictm<sup>t</sup>

Nathaniel wilde<sup>r</sup> of Concord in the County of middlesex in New England thou art Indicted by the name of Nathaniel wilder for not hauing the feare of God before thy eyes being Instigated by the Diuill w<sup>th</sup> othe<sup>r</sup> thy acomplices at or on the sevent[h] of August last at or neere to Hurtlebury Hill in the woods in the precincts of Concord or neere thereunto did murde<sup>r</sup> & kill three Indian woemen and three Indian children Contrary to the peace of our Soueraigne Lord the king his Croune & dignitje the lawes of God and of this Jurisdiction — to wch Indictment the prisoner at the barr pleaded not Guilty and put himself on his tryall of God & the Country after the Indictment & evidences in the case produced were Reade and are Remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found him Guilty: And accordingly had sentenc of death pronounced Against him as the other — to be Returnd from hence to the place from whence he Came & thence to the place of execution there to be hang<sup>d</sup> till thou beest dead —

Daniel Hoares  
Indictment

Daniel Hoare of Concord in the County of middlesex in New England thou art Indicted by the name of Daniel Hoare for not hauing the feare of God before thy eyes and being Instigated by the Divil with othe<sup>r</sup> thy Accomplices at or vpon the seventh day of August last at or nere Hurtleberry Hill in the woods in the p<sup>r</sup>ecincts of Concord or neere thereunto did murde<sup>r</sup> & kill three Indian weomen and three Indian children contrary to the peace of our Soueraigne Lord the king his Croune and dignity the lawes of God and of this Jurisdic<sup>o</sup>n to which Indictment the prisone<sup>r</sup> at the barr pleaded not Guilty and put himself on his tryall of \* God & the Country After

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\* Written over the word "by."

the Indictment & evidences produced in the Case were read Comitted to the Jury and are Remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found him Guilty = And Accordingly || he || had sentenc of Death pronounc aganst him to be Returned from hence to y<sup>e</sup> place from whence he Came and from thence to the place of execution there to be hangd till thow beest dead =

Benjamin Symons of wooborne in the County of midlesex in New England being brought to the barr was Indicted by the name of Benjamin Symonds for that he not having <sup>A</sup> feare of God before his eyes & being Instigated by the divil on the fifth of July last in the woods in the precincts of sajd wooborne did Comitt a Rape on the body of Elizabeth Peirce & that forcibly Contrary to the peace of ou<sup>r</sup> Soueraigne Lórd the King his Croune & dignity the lawes of God & of this Jurisdiction to w<sup>th</sup> Indictment the prisone<sup>r</sup> at the barr pleaded not Guilty & put himself on his tryall by God & the Country After the Indictment & evidences in the Case produced were read Comitted to the Jury<sup>A</sup> brought in their virdict they found him not guilty according to Indictment but || Guilty || of Attempting of a Rape on the body of Elizabeth Peir[c]e = The Court bound ouer the s<sup>d</sup> Symons to y<sup>r</sup> Ans<sup>r</sup> for this at the nex<sup>t</sup> County Court at charlsToune & the s<sup>d</sup> Benja Symonds in 20<sup>th</sup> & Jn<sup>o</sup> Howard of Concord & Joseph Symons in ten pounds apeece as his suertjes acknowledged themselues respectively bound in s<sup>d</sup> somes to y<sup>e</sup> Tresurer of y<sup>e</sup> County of midlesex on Condicon y<sup>t</sup> sajd Benja Symons shall appeare Accordingly before the next County Court in midlesex to Ans<sup>r</sup> w<sup>t</sup> shall be layd to his charg for his fornication

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or his forcibly abusing Elizabeth Peirce. = *er*

Peter Cole of charlsToune was Indicted by the name of Peter Cole for || y<sup>t</sup> he || not hauing the feare of God before his eyes & being Instigated by the Divil did on or about the first of July last Comitt Adultery on the body of Sarah Bucknam wife to John Bucknam of Boston contrary to the peace of our Soueraigne Lord the king his Croune and dignity the lawes of God & of this Jurisdiction = to wch Indictment y<sup>e</sup> prisone<sup>r</sup> at the barr pleaded not Guilty & declared he would be tryed by God & y<sup>e</sup> Country : After the Indictment & evidences in the case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their

Ooles Indictm<sup>t</sup> &  
censure

virdict they found him not Guilty according to Indictment but Guilty of vnlawfull & vncivil Accompanying w<sup>th</sup> the said Sarah Bucknam wife to Jn<sup>o</sup> Bucknam being in bed togethe<sup>r</sup> The Court sentenc<sup>t</sup> him to goe from henc to y<sup>e</sup> place whenc he Came & thence on the nex<sup>t</sup> fifth day after lecture by the marshall Generall & his orde<sup>r</sup> to be Carried to the Gallow<sup>s</sup> & there stand w<sup>th</sup> a halte<sup>r</sup> throune ouer y<sup>e</sup> Gallow<sup>s</sup> to stand on howe<sup>r</sup> & then tooke doune & tyed to the Cart<sup>s</sup> tajle & be seuerely whipt w<sup>th</sup> thirty nine stripes & paying his prison ffes was discharged

Sarah Bu[ck]name Sarah Bucknam was alike Indicted as said Cole  
Indict<sup>r</sup> & censur as mutatis mutandis & being found by the Jury as aboue  
aboue not Guilty according to Indictment but Guilty of like  
vncivill Accompanying w<sup>th</sup> Peeter Cole being in bed together had the  
like sentenc p<sup>o</sup>nounc<sup>t</sup> ag<sup>t</sup> hir —

Basto Negro slaue to Robe<sup>t</sup> Cox of Boston was Indicted by the  
name of Basto negro for that he not hauing the feare  
of God before his eyes & being Instigated by the  
Divill vpon the 14<sup>th</sup> of Aprill last or thereabouts did  
Comitt a Rape vpon the body of martha Cox daughter to his said  
master being a child about three yeares old contrary to the peace of  
ou<sup>r</sup> Soueraigne Lord the King his Crowne & dignity the law<sup>s</sup> of God &  
of this Jurisdiction To wch Indictment he pleaded not Guilty: After  
y<sup>e</sup> euident<sup>s</sup> ag<sup>t</sup> him were read Comitted to the Jury & are on file w<sup>th</sup> the  
Reccords of this Court the Jury brought in their virdict they found  
him Guilty according to Indictment — & Accordingly had the sentenc  
of Death pronounced ag<sup>t</sup> him i e That he should Goe from the barr to  
y<sup>e</sup> place from whenc he Came & thenc to the place of execution & there  
hang till he be dead —

Jack negro se<sup>r</sup>vant to m<sup>r</sup> Jn<sup>o</sup> faireweather of  
Boston was Indicted by the name of Jack negro for  
that he not hauing the feare of God before his eyes & being Instigated  
by the Divill did on the beginning of Aprill last Comitt Beastiality  
w<sup>th</sup> a Cow contrary to the peace of our Soueraigne Lord the King his  
Crowne & dignity the law<sup>s</sup> of God & of this Jurisdiction To w<sup>th</sup> In-  
dictment he pleaded not Guilty after the Jury had py<sup>s</sup>ed the Euidences  
w<sup>th</sup> are on file w<sup>th</sup> the Reccords of this Court they brought in y<sup>r</sup>e Vir-  
dict they found him not Guilty.

[One leaf missing.]



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Capt Thomas Daniel & Left W<sup>m</sup> Vaughan plaintiffe by their libell & complaint exhibited to this Court against m<sup>r</sup> walter ThornHull defendant wch is manifested in two Attachments now given into this Court against the said ThornHull who in open Court Consented to give Answer thereunto and abide the decree of this Court therein The plaintiffe declaring they had & did lett fall their Attachments as to the Courts of Portsmouth & Douer in June next and so the action at this Court proceeded And after their libell was read w<sup>th</sup> the evidences in the Case produced & the Court had heard & Considered the pleas & Answe's The Court doe orde<sup>r</sup> determine & decree that the deffendant pay vnto the plaintiff the sume of twenty pounds damage in mony for his breach of promise and no<sup>t</sup> standing to his Agreement & Costs of Court seven pounds seven shillings

Att this Court m<sup>r</sup> David Ande'son entred his libell & complaint against Robe't orchard searche<sup>r</sup> deffendant for his Illegall & undue seazing of certein Raccoone skinns e<sup>r</sup> aboard his ship after the libell and evidences in y<sup>e</sup> Case produced were read e<sup>r</sup> The Court declared and ordered that the plaintiff pay the defendant Costs of Court —

In Ans<sup>r</sup> to y<sup>e</sup> peti<sup>ti</sup>on of Henry Lauton the keeper securing the peticone<sup>r</sup> the keeper \* is permitted, A Goe to the meeting as is desired —  
E R S

At y<sup>e</sup> Adjournment of y<sup>e</sup> Court of Assistants or Admiralty in Boston 9<sup>th</sup> octobe<sup>r</sup> 1676 ;

In the Case of Benjamin Gibbs plaintiffe by his libell exhibited to this Court against Henry Wheeler master of the ship Recouery for Refusing to deliuer him the sajd shipp according to charter party & for his damage susteyned thereby After the libell w<sup>th</sup> the evidences in the Case produced were read & duely Considered of The Court doth order & decree that the deffend<sup>t</sup> proceed in the Intended voyage according to charter party mutually Agreed vpon and pay damages to the plaintiff twelue pounds in mony to be defaulcated out of his payment that shall Arise due by charter pty & Costs of Court three pounds & ten pence —

The Court Adjourned to the 12<sup>th</sup> of octobe<sup>r</sup> 1676 :

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\* Probably an error of the record for "petitioner."

The Court mett and hauing heard what Caleb Indian & Calumbine Indian<sup>a</sup> could say for themselves hauing binn open & murderous enemies why sentenc of death should not passe ag<sup>t</sup> them The Court proceeded and sentenct them forthwith to be Carried by the marshall Generall to the place of execution & see that they hang till they be dead —

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present  
The Go<sup>u</sup>no<sup>r</sup>  
Dept Go<sup>u</sup>  
Symon Bradstreet  
Tho. Danforth  
W<sup>m</sup> Hathorn  
John Pyncheon  
Edw Tyng  
W<sup>m</sup> Stoughton  
Tho Clarke  
Joseph Dudley  
— — — —

Req<sup>s</sup>

Att A Court of Assistants or Admiralty held  
at Boston 23 octobe<sup>r</sup> 1676

Tho moore master of the Ship Phoenix plaintiffe in behalfe of himself & owne's by his libell exhibbited to this Court against m<sup>r</sup> Abraham Bartholmew & m<sup>r</sup> Jacob Jesson his Agent deffendant after the Court had heard the libell & both plaintiff & deffendants pleas & euidences in the Case produced the Court declares they Giue Judgment

for the plaintiff & orde<sup>r</sup> & decree that the Deffendant pay unto the plaintiffe thirty one pounds damage in mony & Costs of Court five pounds fowe<sup>r</sup> shillings the deffendant hauing prooved payment of twenty pounds at Bilbou & by m<sup>r</sup> Rucke seventy sixe pounds seventeen shillings —

Samuel Davis master of the ship neuis factor plaintiffe ag<sup>t</sup> the sajd shipp for his owne & seamens wages & his expences on hir as by his libell & Complaint exhibbited to this Court After the Court had heard the plaintiffs plea<sup>s</sup> & euidences in the Case produced the Court declares they found for the plaintiff and orde's and decrees that the sajd shipp & hir Appurtenances belonging to Richard Hall & hir earnings discharge the sajd plaintiffs Account Given in & allowed two hundred & forty pounds eighteen shillings & ten pence in mony for his & his seamen<sup>s</sup> wages & his expences & Costs of Court three pound eleven shilling & sixepenc. — y<sup>e</sup> wages of Edw: willjams Edw Benjamin and James Haukins marrin's wages excepted & Abated for two month<sup>s</sup> left behind amounting to eight pounds thirteen shillings

Att A Court of Admiralty or Court of Asistants held at Boston 26 octo<sup>br</sup> 76 Henry wheeler master of the ship recouery plaintiffe in behalfe of himself & owne's by his libell & Complaint exhibbited to this Court against Cap<sup>t</sup> Benjamin Gibbs deffendant for breach of his

promise in refusing to give security to value of seven hundred pounds *℥* for performance of charter pty as by the lybell may appeare After the Court had heard the plaintiff & deffendants pleas w<sup>th</sup> the evidences in the Case the Court declared that they found for y<sup>e</sup> plaintiffe that the deffend<sup>t</sup> deliuer vp his Counte<sup>pt</sup> of the charter party w<sup>th</sup> the first date of it & give seven hundred pounds security that the plaintiffe may proceed vpon the voyage Giving the plaintiff his Costs fowe<sup>r</sup> pounds seven shillings —

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Att A Court of Assistants or Admiralty held at Boston 5<sup>th</sup> march 1676

Jn<sup>o</sup> Dauenport marrine<sup>r</sup> master of the barque Endeavo<sup>r</sup> by his libell & Complaint exhibbited to this Court plaintiff against Nicholas Paige merchant deffendant for his dispossessing him as master of sajd vessell & Refusing to pay him his monethly wages to value of thirteen pounds seven shillings or thereabouts as p Attachm<sup>t</sup> & libell *℥* The Court after pervsall of the libell Attachment summons & evidences in the case produced they declared they Gaue Judgment for the deffendant Costs of Court —

present the Go<sup>d</sup>  
Dept Governor  
Symon Bradstreet  
Daniel Dennison  
W<sup>m</sup> Hawthorn  
Edw. Ting  
Tho Clarke  
Joseph Dudley  
— — — — — } Esq<sup>s</sup>

Att A Court of Assistants held at Boston the 6<sup>th</sup> of march 1676.

The Grand Jury was Impannel made their presentments & was dismiss.

Isaack waldron plaintiff on Appeal from the Judgment or sentence of the last County Court in Boston in Jan<sup>u</sup>y. — After the Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury the Jury brought in their virdict they found for the defend<sup>m</sup> Confirmation of the former Judgment & Costs of Courts: nine pounds & tenn pence — & to Jn<sup>o</sup> ffloyd Constable sixe shillings. —

present the Go<sup>d</sup>  
Dept Go<sup>d</sup>  
Symon Bradstreet  
Daniell Dennison  
Tho Danforth  
W<sup>m</sup> Hathorne  
Edw<sup>d</sup> Tyng  
Thomas Clarke  
Joseph Dudley  
— — — — — } Esq<sup>s</sup>

Benjamin Gibbs plaintiff<sup>s</sup> \* against John Sweete ||*℥* deffendan<sup>m</sup> in an A<sup>c</sup>on of Appeale from the Judgment of the County Court in Boston in octobe<sup>r</sup> last: After the Attachment Courts Judgment Reasons of

persons to serve on  
the Grand Jury Im-  
paneld & sworne  
were  
— — — — —

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\* Error of the record for " plaintiff."

m<sup>r</sup> W<sup>m</sup> Barthol-  
meu

Moses Payne  
John Blake  
Francis Johnson  
John Tappin  
W<sup>m</sup> Lakin  
J<sup>n</sup> Biscoe  
Robert Seavor  
W<sup>m</sup> Gary  
James Russell  
J<sup>n</sup> Heyman  
W<sup>m</sup> Manning  
Rich<sup>d</sup> Robbins  
W<sup>m</sup> Pond  
Samuell Weekes  
— — — —

Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the evidences \* of this Court the Jury brought in their virdict they found for the plaintiffe Reuersion of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Court :

Joell Jenkins plaintiff against Isaack Waldron deffend<sup>t</sup> in an Accon of Appeale from the Judgment of the last County Court in Boston in Jan<sup>y</sup> After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts

Cap<sup>t</sup> Thomas marshall plaintiff ag<sup>t</sup> Isaack waldron deffend<sup>t</sup> in an action of Appeale ffrom the Judgment of the last County Court in January in Boston After the Attachment Courts Judgments Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts thirty six shillings and eight pence

persons Returnd on  
y<sup>e</sup> service of 1<sup>st</sup> Jury  
of trjals for Ap-  
peales & for life  
limbe & banishmt &  
were sworne were  
— — — —

sl. 8

Barnard Capen tooke the oath of a freeman in open Court

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m<sup>r</sup> Symon Lynde  
John Balston  
Sam Hoffe  
Rob<sup>t</sup> Herrington  
James Barnard  
J<sup>n</sup> watson  
Suball seavor  
Peter frathingham  
Tho white  
J<sup>n</sup> fuller  
— Jan<sup>y</sup> spring  
[Cleomen] maxfeld  
Barnard Capen  
filing 1 : 2  
— — — —

W<sup>m</sup> Basset plaintiff ag<sup>t</sup> Isaack waldron deffend<sup>t</sup> in an action of Appeale from the Judgm<sup>t</sup> of the County Court last in January in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts twenty seuen shillings & 4<sup>d</sup>. —

\* The Secretary evidently wrote this word by mistake instead of the word "records."

Benjamin Muzey plaintiff ag<sup>t</sup> Isaack waldron deffend<sup>t</sup> in an Acc<sup>o</sup> of Appeale from the Judgment of the last County Court in Jan<sup>y</sup> in Boston After the Attachment Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff<sup>r</sup> reuersion of the former Judgment & Costs of Courts forty two shillings & tenn penc.

W<sup>m</sup> Edmonds plaintiff against Isack waldron deffend<sup>t</sup> in an Acc<sup>o</sup> of Appeale from the Judgment of the County Court last in January in Boston. — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the defend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts twenty seven shillings.

2<sup>d</sup> Jury  
Persons Returned to  
serve on y<sup>e</sup> Jury of  
Tryalls for Appeales  
life limbe & banish-  
ment aworne  
— — — —  
Cap<sup>t</sup> Joshua Scottow  
Jn<sup>r</sup> Lowell  
James Greene  
Tho: Walker  
Jn<sup>r</sup>than Broune  
Isack Newell  
Jn<sup>r</sup> Crafts  
Tim<sup>e</sup> Symms  
Tho olliuer  
Tho Langhorne  
Samuel Robinson  
John Toleman  
fl: 2:  
— — — —

fl: 2

Jn<sup>o</sup> Endecot & Tho Scottow Execcuto's in trust to the estate of the late Andrew shepheard plaintiffe ag<sup>t</sup> Benjamin Alford Attorney to John sweeting deffend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of the County Cour<sup>t</sup> in Boston in octobe<sup>r</sup> last — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are Remayning on this Courts file of Reccords the Jury brought in there virdict they found for the plaintiff<sup>r</sup> Reuersion of the former Judgm<sup>t</sup> & Costs of Courts twenty eight shillings —

Endecot ag<sup>t</sup> Alford

W<sup>m</sup> Obbinson plaintiffe against John Gilbert deffendant in an action of Appeale from the Judgment of the County Court in Boston in octobe<sup>r</sup> last After the Court<sup>s</sup> Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they finds for the deffendant that the plaintiffe w<sup>th</sup>in eight dayes shall deliuer unto him his leather which was properly his and fower pounds for damage thereof w<sup>th</sup> ten shillings more for damage for his Goods & prouissions & Costs of Courts And in default thereof

obbinson ag<sup>t</sup> Gilbert

Exec Issued out  
16<sup>th</sup> march 167<sup>4</sup>

that the plaintiffe pay vnto the deffendant twenty pounds in mony: w<sup>th</sup> Costs of Courts Reuersing of the former Judgm<sup>t</sup> fuety seven shillings & 6<sup>d</sup>: —

m<sup>r</sup> Jn<sup>o</sup> Parmiter Leiu<sup>t</sup> Edw<sup>d</sup> willis m<sup>r</sup> John Saffyn m<sup>r</sup> Anthony Stoward \* m<sup>r</sup> Anthony Howard m<sup>r</sup> Samuel Jacklin & m<sup>r</sup> Ephrajme <sup>^</sup>† were chosen Constables for y<sup>e</sup> Toune of Boston for y<sup>e</sup> yeere ensuing = & tooke their oath in open Court

6 Constables sworn  
in Court 12<sup>th</sup> march 76

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Seth Perry plaintiff ag<sup>t</sup> Thomas Deane deffendant in an action of Appeale from the Judgment of the last County Court in Boston. — The plaintiff & deffend<sup>t</sup> Appearing in Court & declaring they had agreed & the plaintiffe desiring libe<sup>r</sup>ty to w<sup>th</sup>draw his Action the Court Approoved thereof & it was accordingly w<sup>th</sup>draune =

Herbert ag<sup>t</sup> Clarke Jn<sup>o</sup> Herbert plaintiffe ag<sup>t</sup> Mathew Clarke & Company deffend<sup>t</sup> in an action of Appeale from the Judgment of the last County Court in Boston — this action as aboue was w<sup>th</sup>draune =

Benjamin Thompson plaintiff ag<sup>t</sup> Jn<sup>o</sup> Emmery deffendant in an action of Appeale from the Judgment of the County Court at Ipswich = After the Attachment Courts Judgment Reasons of Appeale & evidences in the case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff Reuersion of y<sup>e</sup> former Judgment & Costs of Courts 28<sup>s</sup> =

Ben: Thomson  
Acknowledged y<sup>e</sup> he  
tooke not Admin-  
stration to Jn<sup>o</sup> God-  
frys estate & Re-  
nounceth y<sup>e</sup> Admin-  
stration

Jn<sup>o</sup> Pease plaintiffe against Richard Way Attur-  
ney to m<sup>r</sup>s ffreake deffend<sup>t</sup> in An action of Appeale from the Judgm<sup>t</sup> of the County Court in Boston the parties Appearing in Court & declaring it that they were Agreed the plaintiff w<sup>th</sup>drew his Accon as Aboue =

\* This name (Anthony Stoward) was entered by mistake of the Secretary. He probably intended to cancel it. The other six names agree with the Boston record. See 7<sup>th</sup> Report, Record Com<sup>r</sup>, p. 107.

† "Savage" on the Boston Record.

Jn° Poole plaintiff against Charles oughtred deffend<sup>t</sup> in an Accon of Appeale from the Judgment of the County Court in Boston = the parties Appearing in Court & being Agreed the plaintiff w<sup>th</sup> drew his action as aboue =

Poole ag<sup>t</sup> oughtred

Phillip Greely plaintiffe against Jn° young deffendant in an Action of Appeale from the Judgment of the County Court at Sallisbury After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found a speciall verdict i e In Case the law title Appeales sect: 1: doe not barr nor Impede the Plaintiffe for whom the Action was found in the Court he Appeales from then wee finde for the plaintiffe the Confirmation of the former Judgment of Court i e tenn pounds more w<sup>th</sup> Costs of Court: But In Case the aforesajd law Barrs his Appeale then wee finde for the deffendant Costs of Courts The Court Affirmes to the 1<sup>st</sup> pt that the plaintiff might Appeale & so finds for the plaintiff as aboue = Costs seven pounds fowe<sup>r</sup> shillings & nine pence || at 35<sup>s</sup> p [m]l boards ||

Greely ag<sup>t</sup> Young  
executi Issued out  
9 m<sup>ch</sup> 24

Isaack wooddey plaintiffe ag<sup>t</sup> George Speere deffendant in an action of Appeale from the Judgment of the Comissione's Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts thirty three shillings & 4<sup>d</sup> —

wooddey ag<sup>t</sup> speere

Edw<sup>d</sup> Colcord plaintiffe ag<sup>t</sup> Abraham Drake deffend<sup>t</sup> in An action of Appeale from the Judgm<sup>t</sup> of the County Court After y<sup>e</sup> Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to y<sup>e</sup> Jury & Are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict on the question whither a marshall levying execution on person & estate & afterwards letting y<sup>e</sup> person Goe free deteyning only y<sup>e</sup> estat<sup>e</sup> the Resolution was on the Affirmative being in the fiery<sup>\*</sup> thereof & found for y<sup>e</sup> deffendant Costs of Courts three pounds eighteen shillings & sixe pence :—

Colcord ag<sup>t</sup> Drake  
1 Ac  
execution Issued out  
12 of march 76.  
3: 18: 64

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\* fieri?

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**Colcord ag<sup>t</sup> Drake** Edward Colcord plaintiff ag<sup>t</sup> Abraham Drake  
 deffend<sup>t</sup> in an Action of Appeale from the Judgment  
 of the Salisbury Court After the Attachment Courts Judgment Reasons  
 of Appeale & evidences in the Case produced were read Comitted to  
 the Jury and are Remayning on file the Jury brought in their virdict  
 they found for the deffendant Confirmation of the former Judgment &  
 Costs of Courts fowe<sup>r</sup> pounds fowe<sup>r</sup> shillings & fowe<sup>r</sup> pence —

**Ring ag<sup>t</sup> Worcester** Robe<sup>t</sup> Ring plaintiffe against Samuel worcester  
 deffend<sup>t</sup> in an action of Appeale from the Judgment  
 of the County Court at Salisbury After the Attachment Courts Judgment  
 Reasons of Appeale & evidences in the Case produced were read  
 Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the  
 Jury brought in their virdict they found for the de-  
 fendant Confirmation of the former Judgment & Costs  
 of Courts fuet<sup>y</sup> nine shillings & two pence

**Exec Issued out 9<sup>th</sup>  
 march 78**

**Ring ag<sup>t</sup> Buswell** Robe<sup>t</sup> Ring plaintiff ag<sup>t</sup> w<sup>m</sup> Buswell deffendant in  
 an action of Appeale from the Judgment of the County  
 Court at Salisbury — After the Attachm<sup>t</sup> Courts Judgment Reasons of  
 Appeale & evidences in the Case produced were read Comitted to the  
 Jury and are remayning on file w<sup>th</sup> the Reccords of this Court the Jury  
 brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the  
 forme<sup>r</sup> Judgment & Costs of Courts fowe<sup>r</sup> pounds fowe<sup>teen</sup> shillings &  
 six pence —

**Bennet ag<sup>t</sup> Gridley** Jn<sup>o</sup> Bennet plaintiff ag<sup>t</sup> widdow Elisabeth Gridley  
 deffendant in an action of Appeale from the Judgment  
 of the Comissione<sup>r</sup>s Court after the Attachment Courts Judgment Reasons  
 of Appeale & Evidences in the Case produced were read comitted to the  
 Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in  
 their virdict they found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup>  
 Judgment & Costs of Courts on Jn<sup>o</sup> Bennets motion by his wife the  
 bond was chanc<sup>erj</sup>ed to six pounds in all 8<sup>th</sup> 14<sup>s</sup>. —

**Lowle ag<sup>t</sup> Gerrish** Benjamin Lowle plaintiff ag<sup>t</sup> Cap<sup>t</sup> W<sup>m</sup> Gerrish  
 deffend<sup>t</sup> in an action of Appeale from the Judgment  
 of the County Court at Ipswich — this ac<sup>on</sup> was called & by default  
 it fell —



Thomas woodbridge plaintiff against Nathaniel willjams deffendant in an action of Appeale from the Judgment of the County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found a speciall virdict i e In Case that Goods estate & person be vnde<sup>r</sup> Attachment & remaine so by Attest of the officer who se<sup>v</sup>ed the same wch Consequently must haue Issued eithe<sup>r</sup> by Judgment of the Court to wch y<sup>e</sup> pty was Attached or else cease in itself if thus circumstanced it Cann Come vnde<sup>r</sup> the law title Conveyances sect 3<sup>d</sup> & be Acompted Imprisonment or dures as also y<sup>t</sup> in Case a pe<sup>r</sup>secuting \* another vpon bond for performance of Award wherein he makes the first breach himself doe Impede his prosecution then wee finde for the plaintiffe the Reuersion of the former Judgment of Court & Costs of Courts — But if othe<sup>r</sup> wise wee find for the defendant

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Confirmation of the former Judgment & Costs of Courts. The Court on due Consideration finds for the deffend<sup>t</sup> as aboue — The Court declared also by y<sup>e</sup> Gouverno<sup>r</sup> that they lookt not at it as a speciall virdict on Request of y<sup>e</sup> plaintiff [h]is bond is chanceried to two hundred & forty pounds seuen shillings & three pence mony — & Costs of Courts — ff<sup>y</sup> forty one shillings & tenn pence

Henry Bennet plaintiff ag<sup>t</sup> Herlakinden Symonds deffendant in an Ac<sup>o</sup>n of Appeale from the Judgment of the County Court at Salem — After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> tenn pounds mony & Costs of Courts — three pounds sixteen shillings & 4<sup>n</sup>: †

Bennet ag<sup>t</sup> Symonds

execution Issued out  
for 13. 16. 4. march  
13. 7<sup>d</sup>

Ephraim Turne<sup>r</sup> plaintiff ag<sup>t</sup> w<sup>m</sup> Harris deffendant in an action of Appeale from the Judgment of the County Court in Boston After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in y<sup>e</sup> Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the reccords of this Cour<sup>t</sup> the Jury brought

execution Issued out  
& Ret<sup>d</sup>. for 17: 6: 3

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\* Probably an error for "prosecuting."

† Error for "44."

in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts = thirty shillings.

Daniel Epp<sup>s</sup> Attorney to Capt Tho: Daniel plaintiff ag<sup>t</sup> Benjt: marshall deffend<sup>t</sup> in an Accon of Appeale from the Judgment of: . <sup>^</sup>

The partjes Appearing in Court & declaring they were Agred the plaintiff w<sup>th</sup> drew his Accon as the other

Idem <sup>us</sup> Idem = || Edmnd marshall || was alike w<sup>th</sup> draune =

Idem <sup>us</sup> Edmund marshall from sajd Court this also was w<sup>th</sup>-draune

Hudson ag<sup>t</sup> messen-  
ger

W<sup>m</sup> Hudson plaintiff ag<sup>t</sup> John messenger deffend-  
ant in an Accon of Appeale from the Judgment of  
the Comissione's Court After y<sup>e</sup> Attachment Courts Judgment Reasons  
of Apeale & evidences in the Case produced were Read Comitted to  
the Jury & Remajne on file w<sup>th</sup> the Reccords of this  
Court the Jury brought in their virdict they found for  
the deffendant Confirmation of the forme<sup>r</sup> Judgment  
& Costs of Courts = twenty five shillings

Exec Issued out 13.  
march 76. for 7: 13  
11

$\frac{6. 8. 11}{1. 6. 11.}$   
7. 13. 11.

ma[lor]'s \* sentenc

Robe<sup>t</sup> ma[lor] plaintiff on Appeale from the sen-  
tence of the Comissione's i e m<sup>r</sup> stoddard & m<sup>r</sup> Clarke  
After the sentenc & Reasons of Appeale w<sup>th</sup> Evidence in the Case pro-  
duced were Read Comitted to the ~~Jury~~ || Bench || & are on file w<sup>th</sup> the  
Reccords of this Court the ~~Jury~~ Court Confirmed the Judgment of the  
Comissioners & Costs of Court =

Phillips sentenc

Zachary Phillips plaintiff on Appeale from the  
Sentence of the Comissione's i e m<sup>r</sup> Stoddard & m<sup>r</sup>.  
Clarke = After the sentenc & evidences in the Case produced wre Read  
& are on file the Court Confirmd the Judgm<sup>t</sup> of the Comission<sup>rs</sup> &  
Granted Costs of Courts

nowells sentenc

michael Nowell plaintiff on Appeale from the  
sentence of the Comissione's i e m<sup>r</sup> stoddard & m<sup>r</sup>  
Clarke After the sentence & evidences in the Case produced were Read  
Comitted to the Jury & are on file the Court Confirmd the Judgment  
of the Comissione's & Granted Costs.

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Whereas at the County Court held at Boston in octobe<sup>r</sup> last Charles oughtred Attorney to m<sup>r</sup> Sampson Sheaffe obteyned Judgment against John Blackleach as principall debto<sup>r</sup> and Against John Poole as his sue<sup>r</sup>tje for one hundred fivety fowe<sup>r</sup> pounds five shillings & two pence in mony from which Judgment the sajd John Poole appealed but since is satisfied that the sajd debt is due therefore the sajd Poole Confesse<sup>s</sup> Judgment against himself &c for the foresajd sume together with all charges at the County Court and occasioned by the Appeale and In Regard the lawes frees sue<sup>r</sup>tjes if execution be not extended in a moneth yet he Assents that execution be Granted and may be levyed vpon himselfe and estate at any time after the expiration of three monthes if in the Interim the execution vpon the forme<sup>r</sup> Judgment be not levyed upon the sajd Blackleach or his Estate This Judgment was Acknowledged in open Court as above written by John Poole merchant Against himself & his estate *c<sup>r</sup>* 12 m<sup>c</sup>h 1676/7

pooles Judgm<sup>t</sup> ag<sup>t</sup>  
himself:

Execution Issued  
out for y<sup>e</sup> [Su]me 20  
June 77 & dd to  
cha: oughtred  
E R S

as attests Edw Rawson Secrety

Jn<sup>o</sup> flynt of Salem being presented by the Grand Jury was Indicted by the name of John flynt for not hauing the feare of God before your eyes & being Instigated by the divill did on or about the month of octob<sup>r</sup> last kill Eljaze<sup>r</sup> Coates Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the King his Crowne & dignity the lawes of God & of this Jurisdiction.

Jn<sup>o</sup> finte Indictm<sup>t</sup>

To w<sup>th</sup> Indictment he holding vp his hand at the barr pleaded not Guilty putt himself on his tryall by God & the Country the Jury was Impanelled & sworne and after all the evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their verdict: they found him not Guilty of wilfull murde<sup>r</sup> but Guilty of manslaughter —

found Guilty of  
manslaughter

Jn<sup>o</sup> flynt the Court Considering of yo<sup>r</sup> offence doe sentence yow to pay a fine to the Country of twenty pounds as also twenty pounds more to the father of the sajd Coates all in mony || w<sup>th</sup> y<sup>e</sup> witnesses costs || & that yow stand Comitted till the sentence be pformed —

fined 20<sup>li</sup> to y<sup>e</sup>  
Country & 20<sup>li</sup> to  
Robert Coates

In Ans<sup>r</sup> to the peticon of Edmund flynt in behalf of his son John flynt The Court doth Grant sixe

Ans<sup>r</sup> to his petition

months time for payment of the fine<sup>s</sup> Imposed for w<sup>ch</sup> sufficient bond being Given to the Tresurer & partjes Concerned paying prison fees & chardges he is Released —

Peeter Bent Ju<sup>n</sup> of Sudbury in New England being by the Grand Jury presented was alike Indicted for not hauing the feare of God before his eyes and being Instigated by the divill did about 29 July last kill Joseph Bent late of the same Towne Contrary to the peace of our Soueraigne Lord the king his Crowne & dignity — to which he pleaded not Guilty put himself on God & y<sup>e</sup> Country for his tryall: After y<sup>e</sup> evidences in the Case produced were Read Comitted to the Jury and are on file the Jury brought in their virdict they found him not Guilty of wilfull murde<sup>r</sup> but find him Guilty of killing him by Chanc medley ~~by~~ or | Casualty — Peter Bent the Court Considering of your offence doe sentence yow to pay as a fine to y<sup>e</sup> Country tenn pounds & as a fine to yo<sup>r</sup> Aunt the widdow of Peeter Bent the sume of twenty pounds both in mony & pay the charges of Court for y<sup>e</sup> witnesses standing Comitted till y<sup>e</sup> sentenc be pformed In Answe<sup>r</sup> to the peticon of Peter Bent the Court [ ]ed him also sixe months time for y<sup>e</sup> payment of y<sup>e</sup> fines as aboue & on like termes is dischardged —

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W<sup>m</sup> Waldron In-  
dictm<sup>t</sup>

W<sup>m</sup> Waldron now Residant in Boston being presented by the Grand Jury was Indicted by the name of w<sup>m</sup> waldron of Boston in the County of Suffolke ffor not Hauing the feare of God before his eyes & being Instigated by the divill in Nouem-ber<sup>e</sup> ^ by himselfe & his partne<sup>r</sup> Henry Lauton as his orde<sup>r</sup> w<sup>th</sup> whom he left his Comission did vnlawfully su<sup>r</sup>prize & steale away seventeen Indian<sup>s</sup> men weomen & children & in y<sup>r</sup> vessell called the endeavour of Boston Carrjed & sent them to ffyall & there made sale of them Contrary to the peace of our Soueraigne Lord the king his Croune & dignity the lawes of God & of this Jurisdiction: entituled man stealing To which Indictment he pleaded not Guilty putt himselfe on God & the Country for his tryall — Afte<sup>r</sup> y<sup>e</sup> evidences & pleas in the Case were Read & heard the Jury brought in their virdict they found him not Guilty —

J<sup>n</sup> Haughtons In-  
dictment

J<sup>n</sup> Haughton of Boston marriner being presented was Indicted by the name of John Haughton for that

yow not hauing the feare of God before you' eyes being Instigated by the Divill did take into you' vessell the endeavo' seventeen Indians men weomen & children & Carried them away to ffyall & there were sold Contrary to the peace of ou' Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction title man stealling to wch Indictment he pleaded not Guilty put himselfe on God & the Country for his tryall After the evidences & pleas in the Case were Read & heard the Jury brought in their virdict they found him not Guilty according to the Indictment of man stealling But Guilty he being Shipmaster of the Catch Endevo' wherein 17 Indians were re-ceaved on board & carried away to ffyall that he did not beare due testimony against the Employe's act therein: — Jn<sup>o</sup> Houghton the Court hath Considered yo' offence & doe sentenc yow to pay a fine of twenty pounds in mony pay the ffees of Court & stand Comitted till the sentenc be performed —

In Ans<sup>r</sup> to the petiçon of John Houghton the Court abates him tenn pounds of his fine he Giving security to y<sup>e</sup> Trespas<sup>r</sup> for the payment of the other tenn pounds in mony to the Trespas<sup>r</sup> of y<sup>e</sup> County \* in six months wch is don & on file

Daniel Deane w<sup>m</sup> keene Tho: wilde' Jn<sup>o</sup> wilder 6 witnesses Costs in  
 steven mattock & Tho Goble Ju<sup>d</sup> had their bill of y<sup>e</sup> Gobles Case =  
 Costs Granted them for their Attendance at the Court on the examina-  
 tion & Triall of y<sup>e</sup> Gobles & Nath wilder wch came to fowe' pounds tenn  
 shillings in mony to y<sup>e</sup> Treasurer —

In Ans<sup>r</sup> to the petition & Request of the Toune of Dedham Cap<sup>t</sup>  
 Daniel ffisher shall be & hereby is Impowred to Joyne  
 such persons together in marriage as eithe' of them be  
 legally be † published in dedham and the other alike  
 published in any other Toune or both there —

Cap<sup>t</sup> ffishers power  
 to marry e<sup>r</sup>

Jn<sup>o</sup> Lawrence ju<sup>d</sup> of Sudbury in the County of midlesex being pre-  
 sented by y<sup>e</sup> Grand Jury was Indicted by the name of John Lawrence  
 for that he not having the feare of God before his eyes & being insti-  
 gated by the divill did Comitt Bestiallity w<sup>th</sup> a mare  
 in Cambridge bounds vpon the 5<sup>th</sup> day of Septembe' Jn<sup>o</sup> Laurens  
 last Contrary to the peace of our Soueraigne Lord the Indictm<sup>t</sup>  
 King his Croune & dignity the lawe of God and of this Jurisdiction  
 entituled Bestiallity — to wch Indictment he pleaded not Guilty put

\* Error in the record for "Country."

† This word is evidently superfluous.

himself on Tryall by God & the Country After the Indictm<sup>t</sup> & all the evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found him not Guilty.

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Jn<sup>o</sup> Earthy being brought before the Court was ordered to be secured till the Court Called him & his<sup>^</sup> & Left Gardiner acknowledged themselves bound in forty pounds apeece to John Hull Tresurer of the Country that the sajd John Earthy shall appeare before the Court & Answer w<sup>t</sup> shall be layd ag<sup>t</sup> him at or before the next Court of Assistants

M<sup>r</sup> John Glouer was Called being bound ouer to this Court he was Called proclamation made three times in Court none Appearing Against him his bond was dischardged —

10 Sept 1676                      whereas vpon the examination & Tryall of W<sup>m</sup> waldron & othe's for seizing Indians at the Eastward & making sale of them at fflyall as it Appeared to the Court that part of the produce of that voyage was sold to m<sup>r</sup> John Hubbard by m<sup>r</sup> John Glouer who was Concerned in that voyage and the mony yet in the sajd Hubbards hand It was Concluded that the sajd mony should remajne in the sajd Hubbards hands Responsible to the charge of Recouery of sajd Indians or othe'wise vpon hearing might Appeare to be Just to \* declared in Court to sajd Glouer being not entred as  
17 Apr<sup>e</sup> = 77 on Adj<sup>s</sup>.              Concluded the Court doeth now orde<sup>r</sup> the entry of the same Accordingly

m<sup>r</sup> Isaack Waldron hauing a chardge draune vp ag<sup>t</sup> him by orde<sup>r</sup> of the Court wch being read desired the libe<sup>t</sup>y of the law for to haue a Jury wch was Granted he paying for y<sup>e</sup> entry & was donn y<sup>e</sup> charge was against m<sup>r</sup> Isaack waldron of Boston Apothecary  
(1st)                      for his Injurious and reflectiue speeches & bold Affirmations in his charging the wo<sup>p<sup>ff</sup></sup> Symon Bradstreet Esq<sup>r</sup> one of the Assistants of his maj<sup>ty</sup> Court of Assistants in the open County Court in January last Contrary to trueth saying that the sajd m<sup>r</sup> Bradstreet had not or did not present the originall bond he tooke Against him the sajd waldron binding him ouer to that Court to Answer

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\* Error of the record for "& so." See note on page 91.

for his mischarging seuerall pe'sons as Cap<sup>t</sup> Thomas Marshall Joell Jenkins & Againe & Againe saying that he presumed & denjed that to be the originall bond & In his bold Affirmation at the said County Court the same tyme of his tryall that what he had donn was by the Advice & orde<sup>r</sup> of sayd m<sup>r</sup> Bradstreet or else he had not don it & this Reitterated Contrary to truth =

for his bold reitterated abusive Reflection<sup>s</sup> Againe & Againe in like words in his Reasons of Appeale from the Judgment of the said County Court to this Court of Assistants ag<sup>t</sup> the s<sup>d</sup> wo<sup>r</sup>p<sup>th</sup> m<sup>r</sup> Bradstreet before the Country thereby endeavo<sup>r</sup>ing to bespatter & Asperse him of whom this Country hath had so long experience of his sincere able & faithfull Administration of Justice = which being Read w<sup>th</sup> the evidences in the Case produced Comitted to the Jury & are on file w<sup>th</sup> the Recceords of this Court the Jury brought in their virdict they found him Guilty of the whole charge in the 3 Articles = w<sup>h</sup>m<sup>e</sup> waldron the Court hath Considered of you<sup>r</sup> offence & doe sentenc yow to pay fije pounds fine to the Country in money & to make Confession of yo<sup>r</sup> Reflection vpon & Abuse of m<sup>r</sup> Bra[d]street in the three articles chardged against you

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on Munday next to the satisfaction of the Court or pay twenty pounds mony as a fine to the Country standing Comitted till the sentence be p<sup>er</sup>formed he had libe<sup>ty</sup> to goe home on his parrol till 2<sup>d</sup> day. when he Came & in open Court presented his Acknowledgment unde<sup>r</sup> his hand & was =

To the Right Hono<sup>ri</sup>ble Jn<sup>o</sup> Leueret Go<sup>u</sup>d & the Rest of y<sup>e</sup> hono<sup>rd</sup> magistrates now Assembled, at the Court of Assistants in Boston. =

The Humble peti<sup>ti</sup>on of Isaac Waldron. =

Humbly sheweth unto yo<sup>r</sup> Hono<sup>rs</sup> that he is troubled & much greived that he hath any way occasioned yo<sup>r</sup> Hono<sup>rs</sup> Displeasure against him especially by his bold, & passionate speeches wch seemed to your Hono<sup>rs</sup> as though he endeavored to Impaire yo<sup>r</sup> Hono<sup>rs</sup> Dignity, & Authority But it was neuer in his thoughts so to doe; as by his Actions any time this five or sixe yeares last past may appeare; in wch

---

\* Error in the record for "Isaac."

Isack waldrons Ac-  
knowledgm'

time he hath alwayes obeyed you' Comands and not  
only so but willingly, and Contentedly in all things  
whatsoever; and he supposeth hath troubled the Courts  
as litle as most haue donne; except these two last Courts, which he was  
Rather Compelled to it, then desired it wherefore he beseecheth you'  
Hono's, that yow would be pleased, to excuse and pardon him & take of  
the fine from of him being it is the first time he was convicted of any  
Crime he Comitted against your Hono's, and also by reason his crime  
was only words spoke in his passion and was no such abominable action,  
but may be pardoned, if you' Hono's please according to the Holy word  
of God as in math the 12<sup>th</sup> 32 wherein it is thus written whosoever  
speaketh against the son of man || which is to be vnderstood the son of  
God or God man || it shall be forgiven him, so consequently if what is  
spoken against Jesus Christ Shall be forgiven Then certainly yo' poeni-  
tent petitione's words against you' Hono's may be forgiven him. Againe  
in Luke 17. 3. If thy Brother trespasse against thee Rebuke him and  
if he repent forgive him; if he trespasse against thee seuen times in a  
day and seuen times a day turne againe saying I Repent Thou shalt  
forgive him which if you' Hono's please to forgive you' Humble peti-  
tione' it shall oblige him neuer to offend yow more and for euer to  
pray for you' Hono's that God would endue yo<sup>w</sup> w<sup>th</sup> his holy spirit en-  
rich yow w<sup>th</sup> his heavenly Grace prosper yow w<sup>th</sup> all Happiness and  
bring yow all to his euerlasting Kingdome through Jesus Christ ou'  
Lord ou' Saviou' & Redeeme' —

Isaac Waldron

his fine Remitted  
to five pounds (5<sup>li</sup>)

The Court Accepts of this Acknowledgm' & there-  
vpon orde's him to pay only the five pounds mentioned  
in his sentenc to the Country —

Dept' God & [m<sup>r</sup> w<sup>m</sup>]  
W<sup>m</sup> Hathorne fined  
40<sup>s</sup> apeece

Itt is Ordered that the Deputy Go<sup>o</sup>no' samuel  
Symonds Esq'. and majo' willjam Hawthorne depart-  
ing hence before the Court was Adjourned are fined  
forty shillings apeece to be estreated to the Trespase to be charged on  
their Accounts —

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Walter Gendall  
bound ouer —

Walter Gendall was Called & seuerall evidences  
Read y<sup>t</sup> were produced ag<sup>t</sup> him othe's not being pres-  
ent he was by mittimus sent to the keepe' of the prison in Boston in  
orde' to his trjall nex<sup>t</sup> Court of Assistants —



In the Case of Hugh Drury & mary his wife The Court after a due hearing of the Case & evidences therein produced Doe declare that they Doe enjoyne them both to live togethe<sup>r</sup> according to the ordinance of God as man & wife

Hugh drury & mary  
his wifes order

This Court was dissolved 13<sup>th</sup> march 1676. —

Att A Court of Admiralty or Court of Assistants held at Boston y<sup>e</sup> 17<sup>th</sup> of Aprill 1677

In the Case of John Parreck master of the Catch Brothe's adventure by his Libell & Complaint exhibited to this Court plaintiffe against Henry Sandiford deffendant for his Injurious and Illegal entring on his sajd ketch on the 4<sup>th</sup> Instant Aprill w<sup>th</sup> three men & by force of Armes tooke & keepes possession of the sajd Catch e<sup>r</sup> according to Attachm<sup>t</sup> Dated in Boston 9<sup>th</sup> of Aprill 1677 reference thereto being had: After the Court had heard & Considered the evidences in the Case produced they Declared Ordered & decreed that the marshall Generall once w<sup>th</sup> in twenty fower howers goe on board the Catch Brothe's Adventure and deliuer the sajd Catch to John Parricke m<sup>r</sup>. of Sajd Catch w<sup>th</sup> all hir sajles Anco's and appurtenances that belongs to hir & was in hir when he the sajd Sandford tooke hir into his possession And that the sajd Henry Sandford pay vnto the sajd John Parrick for his dammage the summe of eight pounds in money w<sup>th</sup> the Costs of this Court fise pounds thirteen shillings —

present  
Jn<sup>r</sup> LeDet Esq<sup>r</sup> Go<sup>d</sup>  
Sam Symonds Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>d</sup>  
Symon Bradstreet[t]  
Tho Danforth  
W<sup>m</sup> Hathorne  
Edw Tyng  
Tho Clarke  
Jose: Dudley  
— — —  
Jn<sup>r</sup> Parrick Ous }  
Henry Sandford }

whereas in the last Court of Assistants vpon the examination & tryall of W<sup>m</sup> waldron & others, seizing Indians at the eastward & making sale of them at Fyall it Appeared to the Court that part of the produce of that voyage was sold to m<sup>r</sup> John Hubbard by m<sup>r</sup> John Glouer who was Concerned in that voyage & the mony yet in the sajd hubbards hands It was then Concluded that the sajd mony should remajne in s<sup>d</sup> Hubbards hands Responsible to the chardge of Recouery of sajd Indians or othe<sup>r</sup>wise vpon hearing might appeare Just & so declared in Court to sajd Glouer which being not entred as Concluded the Court doth now order the entry of the same Accordingly y<sup>e</sup> 17<sup>th</sup> Aprill 1677: — \*

from 10: march 76

\* This entered twice on the record. See p. 88.

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present  
 Jn<sup>e</sup> Leueret Esq<sup>r</sup>  
 Go<sup>d</sup>  
 Sam Symonds Esq<sup>r</sup>  
 dep<sup>t</sup> Go<sup>d</sup>  
 Symon Bradstreet  
 W<sup>m</sup> Hathorn  
 Jn<sup>e</sup> Pinchon  
 Edw<sup>d</sup> Tyng  
 Tho: Clarke  
 Joseph Dudley --  
 -- -- --  
 Wilkins & Loyds  
 libells & Actions w<sup>th</sup>  
 draune

Att A Court of Admiralty held at Boston 22<sup>th</sup> of  
 may 1677.

Jn<sup>e</sup> Wilkins master of the bareque flower in  
 behalfe of himselfe & ouno's by his libell & Complaint  
 plaintiffe against Nicholas Page deffendant for his  
 Refusing to pay him for the Hire of the sajd vessell &  
 his & his mates wages amounting in the whole to  
 eighty-one pounds eighteen shillings as in & by the  
 sajd libell doeth & may Appeare Dated 17 may  
 1677.

The partjes being Called Appeared in Court &  
 declared that they were agreed desiring they might haue their entry  
 mony The Court ordered the secretary to deliuer them halfe their  
 entry mony y<sup>e</sup> plaintiff paying the office's ffes for seruing entry &  
 = w<sup>ch</sup> was don

Jame<sup>s</sup> Loyd sole ownor of the pinck Hopewell by his libell & Com-  
 plaint plaintiff against Nicholas skinner late master of the sajd pinck  
 deffendant for his selling & disposing of a parcell of Rigging belonging  
 to the sajd Pinck & refusing to discouer & Giue an account on oath &  
 as in and by the sajd libell & Attachment refferenc thereto being had  
 doeth & may Appeare = In this Case as aboue the partjes declaring  
 they were agreed like orde<sup>r</sup> past =

In the Case of m's Lydgett & Company plaintiff  
 Courts order as to ag<sup>t</sup> Jn<sup>e</sup> Poole & deffendt the execution is Respitted  
 m<sup>rs</sup> Lidget & m<sup>r</sup> till the nex<sup>t</sup> Court of Assistants & then to be Issued  
 Pooles Action = out vnles the deffendant Reuerse the Judgment or  
 -- -- -- any part of it before that time =

Att a Court of Admiralty held at Boston on Adjournment the 4<sup>th</sup>  
 of August 1677.

Gideon Baston & Erasmus Bobbat plaintiff by their libell & Com-  
 plaint exhibbited to this Court in behalfe of themselues & charles Bennet  
 Jn<sup>e</sup> Addams. w<sup>m</sup> kirby & James pettee seamen & marrine's belonging to  
 ship Lixborn \* merchant whereof Barthol'mew Hopkins is master de-  
 ffendant for his Refusing to pay them their wages for fise moneth<sup>s</sup> &

---

\* Probably an error of the record for "Lisbon."

one halfe each man at twenty eight shillings p moneth, After the Court had heard the evidences in the Case produced which are on file The Cour<sup>t</sup> declares that they leaving one month<sup>s</sup> wages for each man due in the sajd maste's hands belonging to each of of \* the sajd Seamen from what he brought in & chardged on them particullarly both for brandy Clothes &c according to his Account given in & that he pay them in money i e to Erasmus Bobbat fiety nine shillings & two pence to w<sup>m</sup> kirby three pounds eight shillings & two pence to Gideon Baston fowe<sup>r</sup>

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pounds seven shillings & nine pence to John Addams  
three pounds twelue shillings & three pence to James  
Pettee forty two shillings & tenn pence halfe penny  
to Charls Bennet five shillings & tenn pence in the whole being seven-  
teen pounds three shillings & eight pence halfe penny † all to be payd  
in money or in Case the sajd master refuse to give to each of the sajd  
seamen a sufficient dischargd from the particullar sumes by his Account  
chardged on them for himself & those of whom they had the same then  
that he pay vnto each of the sajd seamen sixe pounds sixe shillings  
in money being fowe<sup>r</sup> months & a half wages due to  
them & is in the whole thirty seven pounds sixteen  
shillings and is besides the || month<sup>s</sup> || wages of each of  
them left in the sajd maste's hands and that he the  
sajd master pay the Costs & charges of this Court  
being seven pounds ten shillings

Courts Judgment in  
Baston Bobbats &c  
case ag<sup>t</sup> Hopkins

execution Issued out  
6 August 77 parties  
Agreed & so not  
served  
[2] R. way =

W<sup>m</sup> Kirby being Complayned on for mutinous Carriage against Bartholmew Hopkins master of the ship Lixbo'n merchant here on shoare After the Court had heard the evidences ordered that the sajd kirby make an humble acknowledgment of his miscarriage to his maste's satisfaction or that the master defaulke one halfe month<sup>s</sup> pay out of his wages =

Att A Court of Admiralty held at Boston 5<sup>th</sup>  
of Septembe<sup>r</sup> 1677.

Jabez Hunt marrine<sup>r</sup> & mate of ship Anne  
by his libell & Complaint exhibbited to the Court

present J<sup>ne</sup> Leueret  
Esq<sup>r</sup> Go<sup>vt</sup>.  
Sam Symonds Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>vt</sup>

\* "of" repeated in the record.

† The sum does not agree with the items.

Symon Bradstreet  
Daniel Gookin  
Daniel Dennison  
Tho Danforth  
w<sup>m</sup> Hawthorne  
Jn<sup>s</sup> Pyncheon  
Edw<sup>d</sup> Tyng  
Tho. Clarke  
Joseph Dudley  
— — — — —

} Esq<sup>s</sup>

of Admiralty plaintiffe against John Ely master of the said ship deffendant for his deteyning his wages & expence & for deteyning eight hundred fforty & five pounds of neuis muscavado<sup>m</sup> Sugar *c<sup>r</sup>* as in the said libell & Attachment Ap-  
peares: After the Court had heard & perused the evidences in the Case produced they declared they found for the plaintiff and doe orde<sup>r</sup> and decree that as an Issue of this Case the deffendant shall pay unto the plaintiffe twenty pounds five shillings in money on all Accounts to this Court exhibbited & y<sup>t</sup> y<sup>e</sup> master y<sup>e</sup> deffend<sup>t</sup> deliuer the plaintiff his staues w<sup>th</sup> payment for for \* freight & Costs & chardges for this Cour<sup>t</sup>:

In Ans<sup>r</sup> to the peticon & motion of m<sup>r</sup> Jn<sup>o</sup> Poole A court of Admiralty was Granted him ag<sup>t</sup> m<sup>s</sup> Elisabeth Lydget & Company to be held at Boston on the 7<sup>th</sup> Instant at one of y<sup>e</sup> clocke —

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present  
Jn<sup>s</sup> Leueret Esq<sup>r</sup> Go<sup>d</sup>  
Sam Symonds Esq<sup>r</sup> D<sup>r</sup> Go.  
Symon Bradstreet  
Daniel Gookin  
Daniel Dennison  
Tho. Danforth  
W<sup>m</sup> Hawthorne  
Edw<sup>d</sup> Tyng  
Tho. Clarke  
Joseph Dudley  
— — — — —

} Esq<sup>s</sup>

Att A Court of Assistants held at Boston 4<sup>th</sup> of Septembre<sup>r</sup> 1677 —

Richard Harris plaintiff against Paul Batt deffend<sup>t</sup> in an Action of appeale from the Judgment of the Commissione's Court in Boston after the Attachment Courts Judgment Reasons of Ap-  
[1<sup>st</sup> Jur]

persons Returnd to  
Serve on y<sup>e</sup> Grand  
Jury & sworne are  
— — — — —

m<sup>r</sup> w<sup>m</sup> Parkes  
Ric<sup>d</sup> wooddey  
Benja Negus  
moses Payne  
Jn<sup>s</sup> Anderson  
Edw<sup>d</sup> Grant  
Antho Pearse  
michael Ives  
Rob<sup>t</sup> willjams  
Jn<sup>s</sup> Phillips  
Tho Jenner  
Timothy mather  
Richd. Leeds  
noah wisewall  
— — — — —

peale & evidences in the case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found ff<sup>r</sup> the plaintiff an Abatement of the forme<sup>r</sup> Judgm<sup>t</sup> to five pounds eleven shillings seuen pence & costs of Court thirty fowe<sup>r</sup> shillings & eleven pence

|| m<sup>r</sup> || Tho Deane || assignee of Jn<sup>o</sup> Glouer || plaintiff against m<sup>r</sup> John Hubbard deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court In Boston in Aprill last  
1<sup>st</sup> Jur  
After the Attachment Courts Judgment Reasons of Appeale and evidences in the Case

\* " for " repeated in the record.

produced were Read Comitted to the Jury and remayne on file w<sup>th</sup> the Reccords of this Court the ~~Jury brought in their v<sup>erdict</sup>~~ The plaintiff w<sup>th</sup> drew his Acc<sup>on</sup> & was ordered to haue his entry mony weh he had =

person[s] Returned  
to serve on the 1<sup>st</sup>  
Jury for tryalls of  
Appeales lfe lymb  
& banishm<sup>t</sup>

— — — —  
m<sup>r</sup> Nath<sup>l</sup>: Graues.  
Thomas Edwards  
Asaph Elliot  
Peter Lyon  
Tho. Larkin  
Samuel Rugles  
Nathaniel Brewer  
Symon Stone  
Samuel Sterne[s]  
Humphry Bradshaw  
Job Hide  
W<sup>m</sup> Barret  
— — — —

Jonathan Cane execcuto<sup>r</sup> to the last will of Ruth Johnson administratrix to the estate of marmaduke Johnson deceased plaintiff ag<sup>t</sup> Jn<sup>o</sup> Heyward Attorney in behalfe of the Comissione's of the vnited Colonyes deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court at charlsTowne in June last After the Attachment & euidences in the case Courts Judg<sup>t</sup> Reasons of Appeale e<sup>r</sup> were read Comitted to the Jury & are Remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts thirty seven shillings & eight pence. =

Jn<sup>o</sup> Scarlet executo<sup>r</sup> to the estate of Cap<sup>t</sup> Samuel Scarlet deceased  
[Co 23a] plaintiff against W<sup>m</sup> Prout deffendant in an action  
of Appeale from the Judgm<sup>t</sup> of the the \* County  
Court in Boston in Aprill last afte<sup>r</sup> y<sup>o</sup> Attachment Courts Judgm<sup>t</sup>  
Reasons of Appeale & euidences in the Case pro-  
duced were Read Comitted to the Jury and Re-  
[dble] majne on file w<sup>th</sup> the Reccords of this Court the  
en<sup>t</sup> Jury brought in their virdict they found for the  
exec deffendant Confirmation of the former Judgm<sup>t</sup> &  
Issued out Costs of Courts fforty three† shillings & eight  
[28] pence =  
Sept  
[77]

Nathaniel Willjams plaintiff against Hanna Calley deffendant in an Accon of Appeale from the Judgm<sup>t</sup> of the County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & euidences in the Case produced were read Comitted to the Jury and Remajne on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reversion of the former Judgment & Costs of Courts twenty nine shillings =

\* "the" repeated in the record.

† "three" written over "four."

Boston 7 Comissioners  
sworne

Cap<sup>t</sup> Tho Bratle major Tho. Sauage Cap<sup>t</sup> Jn<sup>o</sup> Richards m<sup>r</sup> John Joyliffe m<sup>r</sup> Humphry davy m<sup>r</sup> Anthony stoddard Cap<sup>t</sup> Tho clarke were p<sup>r</sup>esented to this Court as the seven comission<sup>rs</sup> chosen by ye ffreemen for the yeare ensuing wch the Court allowed & Approoved of & tooke their oath all saue maj<sup>r</sup> sauage y<sup>t</sup> was absent [6 Sept 77]

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y<sup>e</sup> names of y<sup>e</sup> 24  
Jury for tryalls of  
lfe lymbe & Banish-  
m<sup>t</sup> and sworn were

— — — —  
m<sup>r</sup> Elijs: Barron  
Thomas Sauage Jun<sup>r</sup>  
Ephraim Sale  
samuel Lynde  
Thomas Bingley  
Tobyas Daule  
Jacob Hewen  
Robt Searle dismist  
6 Inst  
Nath Coolidge  
Nath Wilson  
Timothy Foster  
w<sup>m</sup> Davis  
Benj Thirston in  
Roome of Robt  
Searle 6 Inst.  
— — — —

Jn<sup>o</sup> Endecott & Jn<sup>o</sup> scottow plaintiffs ag<sup>t</sup> Rich<sup>d</sup> midlecot Atorney to Joseph Calley hir \* husband deffendant in an Action of Appeale from the Judgment of the County Court in Boston July last After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury and are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the defendant confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts. —

Willjam waldron plaintiffe against James skinner deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court in Boston in Aprill last after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file with the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts thirty five shilling & two pence

Willjam Rawson plaintiff against Roge<sup>r</sup> Billings deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court in Boston in July last — After the Attachment Courts Judgment Reasons of Apeale & evidences in the Case produced were read Comitted to the Jury and are Remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the forme<sup>r</sup> Judgment & costs of Courts two pounds eleven shillings & eig[h]t pence =

Joy Ag<sup>t</sup> Church

Thomas Joy plaintiffe ag<sup>t</sup> Joseph Church deffendant in an action of Appeale from the Judgment of the

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\* Hanna Calley's? See page 96.

County Court in Boston in July last After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgmen<sup>t</sup> & Costs of Courts fuety three shillings —

Jn<sup>o</sup>. Soames plaintiff ag<sup>t</sup> Darby Bryant deffend<sup>t</sup>  
in an action of Appeale from the Judgm<sup>t</sup> of the last  
Comissione's Court After the Attachm<sup>t</sup> the Courts Judgm<sup>t</sup> Reasons of  
Appeale & evidences in the Case produced were read  
Comitted to the Jury & are on file w<sup>th</sup> the Reccords of  
this Court the Jury brought in their virdict they found for the plain-  
tiff reuersion of the former Judgm<sup>t</sup> & Costs of Courts thirty six shil-  
lings & ten penc.

Soames ag<sup>t</sup> Bryant

36s. 10d. Costs

Jn<sup>o</sup> Trumble plaintiffe ag<sup>t</sup> Arthur Mason deffend<sup>t</sup>  
in an ac<sup>o</sup>n of Appeale from the Judgm<sup>t</sup> of the County  
Court at charlsTowne — After y<sup>e</sup> Attachment Courts  
Judgm<sup>t</sup> Reasons of Appeale & evidences in the case  
produced were read Comitted to the Jury & are on  
file w<sup>th</sup> the Reccords of this Court the Jury brought in  
their virdict they found for the deffend<sup>t</sup> Confirmation of the former  
Judgm<sup>t</sup> & Costs of Courts nineteen shillings & ten pence —

Trumble ag<sup>t</sup> mason  
Jn<sup>o</sup> Trumble ouned  
in Court he neur Ac-  
counted y<sup>e</sup> debt now  
sued for to this  
ounor as payd or  
any pt y<sup>e</sup> wof

— — — —

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Benjamin Tompson plaintiff against Jn<sup>o</sup> Emery  
señ deffendant in an Action of Appeale from the  
Judgm<sup>t</sup> of the last County Court at Ipswich — After  
the Attachm<sup>t</sup> Courts Judgment reasons of Appeale & evidences in the  
Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the  
Reccords of this Court the Jury brought in their virdict they found for  
the plaintiffe reuersion of the former Judgm<sup>t</sup> & Costs of Court<sup>s</sup> fferty  
fowe<sup>r</sup> shillings —

Tompson ag<sup>t</sup>  
Emery

44s:

Peter Egge<sup>t</sup>on sue<sup>t</sup>y for w<sup>m</sup> maze plaintiff against  
Daniel mackee deffend<sup>t</sup> in An Action of Appeale from  
the Judgment of the Comissione's Court in Boston in  
July last After y<sup>e</sup> Attachment Courts Judgment  
Reasons of Appeale & evidences in the Case produced were read  
Comitted to the Jury and are Remayning on file w<sup>th</sup> the Reccords of

makee ag<sup>t</sup> maze or  
Eggerton =

57s: 4d mony

this Court the Jury brought in their virdict they found for the deffendant Confirmation of the form<sup>r</sup> Judgment & Costs of Courts seventeen shillings & ffou<sup>r</sup> pence. \* —

Sampson Sheaffe plaintiff ag<sup>t</sup> Tho. Palmer deffend<sup>t</sup>  
Sheaffe ag<sup>t</sup> Palmer = in an Action of Appeale from the Judgment of the last County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendt Costs of Courts : nine shillings & fowe<sup>r</sup> penc. —

2<sup>d</sup> Jur Cap<sup>t</sup> walte<sup>r</sup> Barefoot plaintiff against Xtophe<sup>r</sup>  
Barefoot ag<sup>t</sup> Palmer = Palme<sup>r</sup> deffendant in an action of Appeale from the Judgment of the last County Court at salisbury — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff an Abatement of the former Judgment to sixty pounds seven shillings & Costs of Courts sixe pounds fueteen shillings & sixe penc —

Execution Issued  
out 9: Sept. 77 for  
19<sup>l</sup>: 15: 6.

1<sup>st</sup> Pete<sup>r</sup> Golding plaintiff ag<sup>t</sup> James Russell executor  
Golding ag<sup>t</sup> Russell to y<sup>e</sup> Last will & testament of the late Rich<sup>d</sup> Russell Esq<sup>r</sup> deffend<sup>t</sup> in an Accon of Appeale from the Judgm<sup>t</sup> of the County Court in Boston in Aprill last after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the form<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts = thirteen shillings & 2<sup>d</sup>

Darby Bryan plaintiff ag<sup>t</sup> Jn<sup>o</sup> Soames deffend<sup>t</sup> in  
Bryan ag<sup>t</sup> Soames = non suited = an Accon of Appeale from the Judgment of the last Comissione's Court in Boston the Action & y<sup>e</sup> plaintiff was called three times y<sup>e</sup> plaintiff made default by non Appearance & was non suited =

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Jn<sup>o</sup> Griffyn plaintiff against Edw<sup>d</sup> Goue deffend<sup>t</sup>  
As to the saddle A<sup>\*</sup> in an Accon of Appeale from the Judgment of the last

\* written over " sixteen shillings & ten pence."

\* These words with the caret-marks are in the margin of the original record.



County Court at Salisbury After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted, the Jury and are on file w<sup>th</sup> the Records of this Court The Jury brought in their virdict i.e. a speciall virdict: i.e. if Left fiske had powe<sup>r</sup> to Impresse a horse & man as a convoy when he was Returning from the country<sup>s</sup> se<sup>r</sup>vice then wee confirme the former Judgm<sup>t</sup> of sallisbury Court & costs of Court if not wee find for the plaintifff the confirmation of m<sup>r</sup> nathaniel Saltonstalls Judgm<sup>t</sup> & Costs of Court The magis<sup>ts</sup> on pe<sup>r</sup>vsall of this Judgment finde for the deffend<sup>t</sup> Costs of Courts: i.e. three pounds seventeen shilling & sixe pence —

Griffyn ag<sup>t</sup> Goue

memento y<sup>e</sup> Council  
ordered Edw<sup>d</sup> Gove  
to deliv<sup>r</sup> to J<sup>n</sup>  
Griffin y<sup>e</sup> bridle  
sadle & in his  
hands instead of his  
owne =

— Idem D<sup>us</sup> Idem on Appeale from s<sup>d</sup> salisbury Court as to Riding his horse After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file they brought in their virdict i.e. a speciall virdict i.e. if Leiuetenn<sup>t</sup> fiske had powe<sup>r</sup> to Impress a horse & man as a Convoy when he was Returning home from the Country<sup>s</sup> se<sup>r</sup>vice, then wee Confirme the forme<sup>r</sup> Judgm<sup>t</sup> of Sallisbury Court and Costs of Court if not wee ffinde for the plaintifff the Confirmation of m<sup>r</sup> Nathaniel Saltonstalls Judgm<sup>t</sup> & Costs of Court [The Magists]\* on pvsall of this Virdict finde for the deffendant Costs of Courts three pounds sixteen shillings & fowe<sup>r</sup> pence —

Griffin ag<sup>t</sup> Goue

s 164

m<sup>s</sup> Elisabeth | Dauenport alias Daus | relict & Administratrix to the estate of y<sup>e</sup> late Cap<sup>t</sup> Nathaniel Dauenport deceased plaintifff ag<sup>t</sup> Edward Shippen deffendant in an Action of Appeale from the Judgment of the last County Court in Boston. After the Attachment Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are remayning file the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts thirty sixe shillings & tenne penc

m<sup>s</sup> Dauenport ||  
Alias Daus || ag<sup>t</sup>  
Shippen

Judg<sup>t</sup> o Dauenport  
66: 17 10

John Saffyn Attorney to Return wayte plaintifff ag<sup>t</sup> J<sup>n</sup>o walley defen<sup>t</sup> in an action of Appeale from the Judgment of the last County Court in Boston After the Attachment

Saffin ag<sup>t</sup> Walley.

\* This is written over the words "Three po[unds]."

[in fine] Judgt for  
walley 32. 6. 10

Baglins Abatement  
20<sup>u</sup> & costs of y<sup>r</sup>  
Court  
pap: 13:

Courts Judgment reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the ~~deffendant~~ || plaintiffe || an Abatement of the former Judgment to thirty pounds in mony & Costs of Court

matson ag<sup>t</sup> dispaw  
Thomas Matson plaintiff ag<sup>t</sup> Henry Dispaw deffend<sup>t</sup> in an action of Appeale from the Judgment of the last County Court at Salem After the Attachment Courts Judgment Reasons of Appeale and evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the fformer Judgm<sup>t</sup> & Costs of Courts thirty 2 shillings & 2 penc

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Johnson ag<sup>t</sup> Gardiner =  
Mathew Johnson plaintiff as Attorney to Richard Neua's plaintiff ag<sup>t</sup> Richard Gardiner deffend<sup>t</sup> in an action of Appeale from the Judgm<sup>t</sup> of the last County Court in Cambridge in aprill last after the Attachments Courts Judgment reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are Remayning on file the Jury brought in their virdict they found for the plaintiff a reuision of the forme<sup>r</sup> Judgm<sup>t</sup> at Cambridg Court & Costs of Courts =

Ballard ag<sup>t</sup> watts  
Jervice Ballard plaintiff ag<sup>t</sup> michael watts or his Attorney Benja Daus Deffendant in an action of Appeale from the Judgment of the County Court in Boston in July last after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the form<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts =

Bratle ag<sup>t</sup> Knight & purchis =  
Cap<sup>t</sup> Thomas Brattle plaintiff ag<sup>t</sup> Richard Knight || admstrator c<sup>r</sup> || & olliuer purchis deffend<sup>t</sup> in an Accon of Appeale from the Judgm<sup>t</sup> of the County Court in || Boston || April last Afte<sup>r</sup> the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read

Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court: y<sup>e</sup> Court ordering its procedure the Jury brought in their virdict they found for y<sup>e</sup> plaintiff: the forfeiture of the bond of two hundred & twenty pounds sterling according to bond & Costs of Courts. —

It is ordered by the Court that no Judgment shall passe no<sup>r</sup> execution granted in the abouesajd case ag<sup>t</sup> Richard Knight as Admstrat<sup>r</sup> to the estate of m<sup>r</sup> Jn<sup>o</sup> Payne vntill there be an orde<sup>r</sup>ly division of the sajd estate among the credito<sup>r</sup>s thereto as the law hath provided refferring to non solvent estates. — By y<sup>e</sup> Court Edw<sup>d</sup> Rawson Secrety

ord<sup>r</sup> phibbiting \*  
execution or 9 Sep<sup>r</sup>  
77 E R 8

Cap<sup>t</sup> w<sup>m</sup> Hudson plaintiffe ag<sup>t</sup> Jn<sup>o</sup> Ruming deffend<sup>t</sup> in an ac<sup>o</sup>n of Appeale from the Judgment of y<sup>e</sup> Comission's Court in Boston in July last

Hudson ag<sup>t</sup> Rum-  
ings =

After y<sup>e</sup> Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff and † abatement of the forme<sup>r</sup> Judgment || to three pounds in money || & Costs of Courts twenty six shillings.

Robt Sedgwick plaintiff ag<sup>t</sup> Rebeckah willis deffend<sup>t</sup> in an Accon of Appeale from the Judgm<sup>t</sup> of the Comission's Court in Boston in may last after the Attachment Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences in the Case produced were Read Comitted to y<sup>e</sup> Jury & are on file the Jury brought in their virdict they found for y<sup>e</sup> plaintiff reuersion of the forme<sup>r</sup> Judgment & Costs of Courts twenty eight shillings & 4<sup>d</sup>

Sedgwick ag<sup>t</sup> Willis

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Mary Drury plaintiffe on Appeale from the sentenc of the County Court last in Boston After the Judgment Reasons of Appeale & || evidences || were Read & perved by the Bench to whom she refferd himself the magis<sup>tr</sup> found Confirmation of the forme<sup>r</sup> Courts sentence i e. fue pounds fine[: ] and enjoyned hir & sajd Hugh drury to Appeare before the Court on the Adjornmt the 9 of octob<sup>r</sup> nex<sup>t</sup> next.

Mary Drury Ap-  
peale

\* The Secretary used the character p here by mistake for g.

† Probably an error in the record for "an."

Phipps ag<sup>t</sup> dudson  
 no Attachm<sup>t</sup> for  
 Courts Judgm<sup>t</sup>  
 given in.

w<sup>m</sup> phipps plaintiffe against \* Dudson  
 deffendant in an action of Appeale from the Judgm<sup>t</sup>  
 of the County Court in Boston in Aprill last The  
 plaintiff appeared in Court & Affir[min]g that they  
 had Agreed betweene themselues had liberty to  
 w<sup>d</sup> draw his action wch he did —

Mr Freake † ag<sup>t</sup>  
 Robinson.

Elisabeth Freake † ag<sup>t</sup> Nathaniel Robinson  
 deffend<sup>t</sup> who alike as Aboue w<sup>d</sup> drew hir Action —

Walter Gendall his  
 Indictm<sup>t</sup>

Walter Gendall of or neere blacke point being  
 presented & Indicted by the Grand Jury & left to  
 tryall — was brought to the Barr & was Indicted by  
 the name of walter Gendall for no<sup>t</sup> hauing the feare of God before his  
 eyes & being Instigated by the Divill in the tyme of the warr w<sup>th</sup> the  
 Indians in a perfidious & treacherous way against the Inhabitants of  
 this Collonyes peace and safety sought to betray them into the ennemyes  
 hands by his Indeavo<sup>r</sup> & Counsell Contrary to the peace of our Souer-  
 aigne Lord the King his Croune & dignity || & || the law of this Comon-  
 wealth to w<sup>ch</sup> Indictmen[t] he pleaded not Guilty Refferd himself for his  
 tryall to the Bench. The magistrates hauing duely  
 weighed the Indictment & euidences in the Case pro-  
 duced against him found him Guilty of the Indictmen<sup>t</sup> & doe therefore  
 sentence yow to Runn the Gantelop thrò the millitary Companyes  
 in Boston on the 10<sup>th</sup> Instant w<sup>th</sup> a Roape about his  
 necke that he forfeit all his lands to the Country and  
 be banished out of this Jurisdiction to be gonn by  
 y<sup>e</sup> 6<sup>th</sup> of octobe<sup>r</sup> nex<sup>t</sup> on pœnalty of perpetuall Imp<sup>r</sup>isonmen<sup>t</sup> if he Re-  
 turne Againe & discharging the Costs & charges of the prosecution ;<sub>A</sub>

Jn<sup>o</sup> Abbot had [28]  
 Costs

his Censure

Jn<sup>o</sup> watt<sup>s</sup> Indict-  
 ment

Jn<sup>o</sup> watts being presented & Indicted by the Grand  
 Jury was brought to the Barr & was Indicted by the  
 name of John watts marriner for not hauing the feare  
 of God before you<sup>r</sup> eyes being Instigated by the Divill in the tyme of  
 the warr w<sup>th</sup> the Indians did in a perfydious & treacherous way against  
 the Inhabitants of this Colony<sup>s</sup> peace & safety<sub>A</sub> to betray them into the  
 ennemyes hands & hath in or about June last traded powde<sup>r</sup> & shott  
 whereby the ennemy hath binn supplied Contrary to the peace of ou<sup>r</sup>

\* This space left blank in the original.

† Or Treake.

Soueraigne Lord the King his Croune & dignity & y<sup>e</sup> Act of the Council of this Commonwealth.

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~~To which Indictment~~

To wch Indictment he pleaded no<sup>t</sup> Guilty put himselfe on his Tryall by God & the bench The Court on consideration of all the evidences in the case produced doe sentence yow to Runn the Gantelop thrō the Company<sup>s</sup> that trayne in Boston on second day nex<sup>t</sup> being the 10<sup>th</sup> Instant & Give in his bond of one hundred pounds for his Good behauiour & pay the Costs || & charge || of the prosecution standing comitted till the sentence be performed —

Watts censure

Jn<sup>o</sup> Buttery of marble head was presented & Indicted for Comitting Beastiallity c<sup>r</sup> & left to his tryall

Buttery presented

Whereas Captaine Thomas Bratle contrary to lawe in his reasons of Appeale presented & by him owned in this Court in prosecution of his Appeale against the Administrato<sup>r</sup> to the estate of John Payne doth highly reflect vpon the Hono<sup>r</sup> of the County Court of Suffolke that barred his plea & granted non suite as donn wholly vpon self Interes<sup>t</sup> & for the obtainment of their owne claymes and contrary to law and this after this Courts sence given thereabouts and time Allowed him for a Just resentment thereof which yet by his petition he rather deffends then otherwise The Court doth therefore sentence him to be dischardged from his Comission as Comissione<sup>r</sup> in the Towne of Boston & pay one hundred pounds mony & stand comitted vntill his sentenc be p<sup>e</sup>formed

Cap<sup>t</sup> Bratles sentencon his peticon his fine Abated to 20<sup>li</sup> & y<sup>e</sup> sent as to y<sup>e</sup> Comission<sup>er</sup> place Remitted

Vpon the motion of Abiell Lambe in behalf of his wife late widdow of Joseph Buckminster referring to hir thirds of sajd Joseph<sup>s</sup> estate m<sup>r</sup> Thomas weld & Thomas Gardiner se<sup>n</sup> are Appointed a Committee to Repaire to s<sup>d</sup> Lands & set out hir thirds according to lawe

Order abo<sup>t</sup> Lambe thirds

W<sup>m</sup> Bowdish fined  
10<sup>li</sup>  
abated to 5<sup>li</sup>

W<sup>m</sup> Bowdish of Salem fined tenn pounds for his neglect [or] non Appeareanc on his peticon & payment of 5<sup>li</sup> to y<sup>e</sup> marshall y<sup>t</sup> was [carried]: his fine Abated 5<sup>li</sup>

present  
Jn<sup>e</sup> LeGet Esq<sup>r</sup> Go<sup>o</sup>  
symon Bradstreet  
Daniel Gookin  
Thomas Clark

At A meeting of the Council held at Boston: 1<sup>st</sup>  
of Novembe<sup>r</sup> 1677

At y<sup>s</sup> Council a cirtifficat was presented to the  
Council unde<sup>r</sup> Charles Gott clarke by orde<sup>r</sup> of the militia of wenham y<sup>t</sup>  
John Bilson & Benja. Kimball were Imprest & marched on the  
Country<sup>s</sup> se<sup>r</sup>vice vnde<sup>r</sup> the Comand of Cap<sup>t</sup> Hathorn on 25 octobe<sup>r</sup> &  
Returnd out of the s<sup>d</sup> se<sup>r</sup>vice on the 24<sup>th</sup> of Decembe<sup>r</sup> & Returnd their  
Armes also = vnde<sup>r</sup> writt These persons aboue named were left in Garri-  
son at Newitchawannick in Yorkshire & had a ticket from myself wch  
they alleadge they haue lost: Ri: waldron sar[ji] majo<sup>r</sup>

It is ordered that the Comittee of the Army pass this bill to the  
Tresurer for payment they taking notice that the bill is s<sup>d</sup> to be los<sup>t</sup>  
e<sup>r</sup> that it come not Againe.

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1677

Bowers petition &  
evidences estreated  
accordingly =

In Answe<sup>r</sup> to the petiçon of Elisabeth Bowe's  
Affir[m]ing therein that hir husband heard not of the  
Generall Courts Referring his petiçon to the nex<sup>t</sup>  
Court in midlesex till it was past It is therefore  
ordered that the Secretary estreat the petiçon & evidences in Benanuel  
Bowe's case to the nex<sup>t</sup> County Court at Cambridge to whom It is  
Refferd =

1<sup>st</sup> nouember 1677

Vpon the complaint || & peticon || of m<sup>r</sup> Isack  
foster that there is due to him from kittery the sume  
of seventy pounds e<sup>r</sup> The Council Judgeth it meet to Reffer the  
peticone<sup>r</sup> to the County Court at Yorke for taking such effectual course  
& making such orde<sup>r</sup> therein as may Ans<sup>r</sup> the peticoners Just expecta-  
tion therein :

p E R S

w<sup>m</sup> popes sentance

m<sup>r</sup> w<sup>m</sup> Pope being Complained on for his abusive  
Carriage in Cursing of the Authority here making  
an orde<sup>r</sup> to prevent the spreading of y<sup>e</sup> smale pox : as also defaming all  
the weomen in Boston e<sup>r</sup>. After the evidences pduced  
or  
13<sup>th</sup>, 15. 4<sup>th</sup> fine ag<sup>t</sup> him were Read & himself no<sup>t</sup> willing to be trjed  
by a Jury but reffering himself to the Gouverno<sup>r</sup> &  
magistrates The Court declared they had Considered of his offences &  
sentenct him to be whip<sup>t</sup> w<sup>th</sup> twenty stripes or to pay twenty ma<sup>k</sup>es

fine in money to y<sup>e</sup> Country Treasurer standing Comitted till the sentanc be performd

[Blank space.]

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1677

Att A Court of Admiralty or Court of Assistants  
held at Boston the 7<sup>h</sup> 7mbe<sup>r</sup> 1677

present all y<sup>e</sup> mag-  
ists =

John Poole merchant plaintiff against Elisabeth Lydgett execcutrix to Peter Lydget late of Boston merchant owno<sup>r</sup> of the catch Content & Company the sajd Poole hauing by his petition & libell complained of breach of charter party in that the Catch Content lett to him & w<sup>m</sup> Trott in a voyage to fflyall for three month certeine and nine months vncerteine It Appearing by the euidence that the sajd vessel being disabled by great tempests vpon the sea & the owno's hauing not provided materialls for the repaire of the sajd vessel to make hir sufficient for to bring home the merchants Goods she was sould at fflyall for one hundred mill Rees vpon the Consideration of the whole Case The Court finds for the plaintiffe and doe decree that the deffendant pay to the plaintiffe fowe<sup>r</sup> hundred pounds damage in money & costs of Courts seven pounds fowe<sup>r</sup> shillings =

Poole ag<sup>t</sup> Lided  
/ent: here should  
haue blinn ent: be-  
fore =

vide p 46

Att A Court of Admiralty or Court of Assistants held at Boston 27<sup>th</sup> Septembe<sup>r</sup> 1677

Jn<sup>o</sup> Keetch \* now Resident in Boston by his libell & Complaint plaintiff against Henry Allin of sajd Boston merchant deffendant for his Refusing to give him an Account of the dispose of a parcell

of Ke'sy<sup>s</sup> belonging to m<sup>r</sup> w<sup>m</sup> Habe'feild of Bristoll & consigned by him the sajd plaintiff to the sajd Allin deffendant as in and by the sajd libell appeareth. After the Court had heard all the pleas and euidences in the Case produced The Court found for the deffendant and did orde<sup>r</sup> and decree y<sup>t</sup> the said plaintiff shall dischargd the charge of the Court & pay the deffendant his costs sixe shillings =

Jn<sup>o</sup> Leueret Esq<sup>r</sup> Go<sup>d</sup>  
Symon Bradstreet  
Daniel Gookin  
Tho. Danforth  
Edw<sup>d</sup> Tyng  
Thomas Clarke  
Joseph Dudley } Esq<sup>r</sup>

Jn<sup>o</sup> Keech Acknowledged in Court that he had received an eleven hogshheads of fish from Henry Alljn as part of the produce of fueteen

---

\* Or Reetch.

peeces of Kersy of m<sup>r</sup> Habbe<sup>r</sup>feilds sent by the sajd Keech to value of about fforty fowe<sup>r</sup> pounds — E. R. S.

At a Court of Admiralty held at Boston 9<sup>th</sup> of october 1677

present  
J<sup>n</sup><sup>s</sup> Leueret Esq<sup>r</sup> Go<sup>d</sup>  
Symon Bradstreet  
Daniel Gookin  
Tho. Danforth  
Edw<sup>d</sup> Tyng  
Tho. Clarke  
Joseph Dudley  
— — — —

} Esq<sup>rs</sup>

Nathaniel Cary master of the Catch Elisabeth & margaret plaintiff in behalfe of himself & Company against the sajd ketch for his & their wages for eleven months at twelve pounds five shillings mony In y<sup>t</sup> Lancelot Talbot his Im- ployer sent him home from Jamajca w<sup>th</sup>out any effects & w<sup>th</sup> a bare noate or bill chardged by him on m<sup>r</sup> w<sup>m</sup> Harris of Boston who for want of effects Refused to answer his bill and they being yet w<sup>th</sup>out their wages for which they Craue the decree of this Court against sajd Catch as in the sajd Libell appeares After the Court had heard & perused the evidences in the Case produced, doth decree for the plaintiff one hundred pounds two shillings & tenn penc in mony w<sup>th</sup> the costs & chardges of this Court three pounds ten shillings & fowe<sup>r</sup> penc —

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1677

Att A Court of Assistants or Admiralty held at Boston 15<sup>th</sup> octobe<sup>r</sup> 1677

present  
J<sup>n</sup><sup>s</sup> Leueret Esq<sup>r</sup>  
Go<sup>d</sup>: \*

In the Case of Ephraim Angier plaintiff ag<sup>t</sup> Edward winslow master of Catch John<sup>s</sup> Adventure The Court vpon all plea<sup>s</sup> & evidences vpon file Read & Considered finde & decree for the plaintiff the Goods sued for in particcular as mentioned in the libell & owned by the mate or pay five hundred pounds money & Costs of Court three pounds twelue shillings —

In the Case of John Noyse plaintiffe against Edward winslow mas- ter of Catch Johns Adventure — The Court finds for the plaintiff the Goods sued for in the seuerall particulars mentioned in the libell as owned by the mate vpon pœnalty of three hundred & fuety pounds money & Costs of Court three pounds fueteen shillings

Att a Court of Admiralty held at Boston 20<sup>th</sup> decembe<sup>r</sup> 1677

present  
J<sup>n</sup><sup>s</sup> Leueret Esq<sup>r</sup> Go<sup>d</sup>

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\* No others named as present.



The ship Speedwell being by warrant & orde<sup>r</sup> from the Hon<sup>le</sup> Go<sup>o</sup>no<sup>r</sup> directed to the marshall of Suffolk seized & secured w<sup>th</sup> hir furniture & Ralfe Shelly master & Luke Raster merchant summoned to appeare at this Court to Answer

Symon Bradstreet  
Thomas Danforth  
W<sup>m</sup> Hathorn  
Edw. Tyng  
Tho. Clarke  
Joseph Dudley } Esq<sup>rs</sup>

for their breach of the Law for their bringing and Landing of Brandy & breach of the law in that case the warrant & Returne of the marshall therevpon was Read the partjes Allegations & pleas w<sup>th</sup> the evidences in the Case produced The Court hauing Considered wha<sup>t</sup> hath binn prooved & Alleadged in the Case of sajd ship speedwell doe Adjudge the sajd ship speedwell Ralph Shelly master & Luke Raster merchant free from the present seizure hauing entred in England & producing Cocket for their Cargoe But

whereas It Appear<sup>th</sup> to this Court that Ralph shelly master & Luke Raster merchant of ship speedwell haue broken bulke, landed in this Harbo<sup>r</sup> of Boston Brandy w<sup>th</sup>out making entry thereof according to law: This Court Doe Adjudge them to pay twenty shillings p tun, according to sajd law being sixty pounds money =

In Ans<sup>r</sup> to the petition of Ralph shelly m<sup>r</sup> & luke Raster merchant of ship speedwell the Court Judgeth it meete on the peticone's payment of thirty pounds money to the Tresurer the othe<sup>r</sup> part of their fine is Remitted them. = And It is ordered the Tresurer pay the Costs & charges of the Court =

[77]

1677

Att A Court of Assistants held at Boston on y<sup>e</sup> 5<sup>th</sup> of march 1677

Edward Goue Plaintiffe against Henry Ben-net defendant in an action of Appeal from the Judgment of the las<sup>t</sup> County Court at Salem After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought

present  
Jno<sup>r</sup> Leueret Esq<sup>r</sup> Go<sup>o</sup>  
Samuel Symons Esq<sup>r</sup>  
D<sup>r</sup> Go<sup>o</sup>

Symon Bradstreet  
Daniel Gookin  
Daniel Dennison  
Tho Danforth  
w<sup>m</sup> Hawthorne  
Edward Tyng  
Thomas Clarke  
Joseph Dudley } Esq<sup>rs</sup>

in their virdict they found for the  
1<sup>st</sup> plaintiffe reuersion of the forme<sup>r</sup>  
Ju: Judgmen<sup>t</sup> & Costs of Courts fuety  
one shillings and two pence =

The names of y<sup>e</sup>  
Grand Jury sworne  
were =  
m<sup>r</sup> Thomas Hastings  
Jno<sup>r</sup> Harrison sen

Joseph How  
 Thomas Gardiner  
 John Vyall  
 W<sup>m</sup> Hearsy  
 Joshua Tydd  
 W<sup>m</sup> Dady  
 Roger sumner\*  
 Enoch wiswall  
 Thomas weld  
 Samuel willjams  
 John Stone  
 W<sup>m</sup> Bond  
 — — — —  
 The names of the  
 first Jury for Ap-  
 peales life limbe or  
 Banishmen<sup>s</sup> sworne  
 were =

— — — —  
 m<sup>r</sup> John walley  
 w<sup>m</sup> Griggs  
 w<sup>m</sup> Coleman  
 Rich<sup>d</sup> Lowden  
 Hen<sup>r</sup> Balcom  
 John wales  
 Gamaliel Beamon  
 [señ]

Giles Pason  
 Nathaniel Holmes  
 Thomas Prentice  
 [señ]

Richard Eccles  
 w<sup>m</sup> Godard —  
 — — — —  
 The names of the  
 second Jury of  
 tryalls as above  
 sworn

— — — —  
 m<sup>r</sup> samuel seawall  
 Isaack walker  
 Jabez Salter  
 Daniel Smith  
 James Smith  
 Timothy Tyleston  
 Sam<sup>r</sup> Paul  
 stephen willjams  
 J<sup>n</sup> Henneway  
 J<sup>n</sup> ward  
 Tho Langhorne  
 John Blac[o]  
 — — — —

Capt Dudley Bradstreet Left J<sup>n</sup> Osgood e<sup>r</sup>  
 Selectmen of Andiver plaintiff<sup>s</sup> against Thomas ffuller  
 deffendant in An action of Appeale from the Judg-  
 ment of the County Court at Ipswich After the  
 Attachment Courts Judgment Reasons of Appeale  
 & evidences in the Case produced were Read Comit-  
 ted to to† the Jury & are Remayn-  
 ing on file w<sup>th</sup> the Reccords of this 1<sup>st</sup>  
 Court the Jury brought in their Ju  
 virdict they found for the deffendant Costs of  
 Courts [1<sup>u</sup>] 8<sup>s</sup> 6<sup>d</sup>

J<sup>n</sup> knight & Tristram Coffin Attorney<sup>s</sup> for y<sup>e</sup>  
 Towne of Newbe<sup>y</sup> plaintiff<sup>s</sup> ag<sup>t</sup> m<sup>r</sup> Richard Dumme<sup>r</sup>  
 señ deffend<sup>t</sup> the Case was Called the Attourney<sup>s</sup> letter<sup>r</sup>  
 of Attorney no<sup>t</sup> being Jointly & seuerally J<sup>n</sup> knight  
 being dead the Court declared Actio moritur persona &  
 so it fell. — y<sup>e</sup> deffend<sup>t</sup> had his costs thirteen shil-  
 lings —

J<sup>n</sup> Dix[e] plaintiff against Jerremiah morse  
 deffend<sup>t</sup> in an action of Appeale from the Judgment  
 of the last County Court at Charles Towne After the  
 Attachmen<sup>t</sup> Cour<sup>s</sup> Judgmen<sup>t</sup> Reasons of Appeale &  
 evidences in the Case produced were read Comitted to  
 the Jury & are on file w<sup>th</sup> the Reccords of this Court  
 the deffend<sup>t</sup> pleading it was matter of law & therefore  
 it belonged to the Bench & not to the Jury The  
 magis<sup>tr</sup> hauing heard the case pleas & evidences  
 therein declard they found for the deffend<sup>t</sup> Confirma-  
 tion of the forme<sup>r</sup> Judgmen<sup>t</sup> at charls Towne Court  
 ¶ & ¶ Costs of Courts fowe<sup>r</sup> pounds twelue shillings  
 & ten pence —

J<sup>n</sup> Dix plaintiffe against John Hamond de-  
 ffendant After the Attachment Courts Judgment Reasons of Appeale  
 & evidences in y<sup>e</sup> Case produced were Read Comitted  
 to the Jury and are on file w<sup>th</sup> the Reccords of this  
 first  
 Ju:

\* Probably an error in the record for "Sumner."

† "to" repeated in the record.

Court The Jury brought in their virdict they ffound for the deffendant Costs of Courts twenty shillings & eight pence

Robert orchard plaintiff against Samuel Pollard deffendant in an action of Appeale from the Judgmen<sup>t</sup> of the Comissione's Court in Boston After the Attachment Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are Remaying on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendan<sup>t</sup> fuety five shillings & tenn pence —

2<sup>d</sup>  
Ju

W<sup>m</sup> Greene plaintiff ag<sup>t</sup> John David & Solomon Rainsford deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court in Boston — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Costs of Courts forty three shillings & tenn pence — —

exec Issued out

|| exec Grted 8 Apr. ||

Edmond Bridges Attorney to phillip English plaintiff ag<sup>t</sup> James Browne Attorney to Benjamin mazure deffend<sup>t</sup> in an action of Appeale from the Judgm<sup>t</sup> of the County Court at Salem After the Attachmen<sup>t</sup> Courts Judgment Reasons of Appeal & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict & found for the Deffendant Costs of Courts fuety nine shillings & sixepenc —

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Philip English plaintiff ag<sup>t</sup> Benjamin Mazure deffend<sup>t</sup> in an action of appeale from the Judgment of the County Court at Salem. After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found Costs of Courts & tenn shillings damage — the partjes Agreed their Costs in both Cases & damage & Remajned due to James Browne Attorney to mazure thirty six shillings & sixpenc

English ag<sup>t</sup> Mazure

W<sup>m</sup> Pitman plaintiff on Appeale from the sentenc of the last County Court at Boston & being Called three times but not Appearing to prosecute his Ap-

Pitmans Bond for  
gsecution of Ap-  
peale forfeited

peale his bond was declared forfeited & Rob<sup>t</sup> Rose had his Costs tenn shillings & sixe pence

Rob<sup>t</sup> smith plaintiffe in an Action of Appeale ag<sup>t</sup> Nathaniel Batchiler deffend<sup>t</sup> After the Attachment Courts Judgment Reason of Appeale & evidences in the Case produced were Read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of this Cour<sup>t</sup> the Jury brought in their virdict they found for the plaintiff Reuersion of the former Judgment the land in Controuersy & Costs of Courts six pounds twelve shillings & eleven pence —

Samuell Gardiner plaintiff ag<sup>t</sup> Jn<sup>e</sup> Pudney Deffendant in an ac<sup>on</sup> of Appeale from the Judgm<sup>t</sup> of the County Court at Salem After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the Deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts twenty one shillings & fowe<sup>r</sup> pence

*Gardiner ag<sup>t</sup> Pudney costs 21:4 wch was payd & 20<sup>s</sup> Repd to Gardiner in pt of Rent c<sup>r</sup>. =*

Jn<sup>e</sup> Giffords plaintiff ag<sup>t</sup> Jn<sup>e</sup> Lee deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court At Ipswich — After y<sup>e</sup> Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff Reuersion of the former Judgment & Costs of Courts fowe<sup>r</sup> pounds one shillings \* & eight pence

*Gifford ag<sup>t</sup> Lee*

James flood plaintiff ag<sup>t</sup> Samuel Legg deffend<sup>t</sup> in an action of Appeale from the Judgm<sup>t</sup> of the County Court at Boston in octobe<sup>r</sup> last After the Attachment Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file the Jury brought in their virdict they found for the plantiff Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & an Addition of seuen pounds eleven shillings damage & Costs of Courts two pounds fwe shillings & two pence in all sixteen pounds nine shillings & fwe pence

*flood ag<sup>t</sup> Legg exec Issued out for 16<sup>th</sup> 9. 5. 1<sup>st</sup> Ap<sup>l</sup> 77*

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\* Error in the record for "shilling."

Jn<sup>e</sup> Blainy plaintiffe ag<sup>t</sup> Elisabeth King exexutrix  
 e<sup>r</sup> Daniel King Ralph King e<sup>r</sup> Guardians to y<sup>e</sup>  
 children of the sajd Blainy deffendts in an action of  
 Appeale from the Judgm<sup>t</sup> of the County Court at  
 Salem After the Attachment Courts Judgment Reasons of Appeale &  
 evidences in the Case produced were Read Comitted to y<sup>e</sup> Jury & are  
 on file the Jury brought in their virdict they found for the plaintiff  
 Reuersion of the former Judg<sup>t</sup> & Costs of Courts three pounds two  
 shillings & 4<sup>d</sup>

Blainy ag<sup>t</sup> y<sup>e</sup> Kings  
 3. 2. 4  
 of wch  
 [sl.]<sup>5</sup>

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1677

Samuel Daus plaintiffe against John Winsley  
 deffendant in an Action of Appeale from the Judg-  
 ment of the County Court at Boston in octobe<sup>r</sup> last  
 After the Attachment Courts Judgmen<sup>t</sup> Reasons of Appeale & eui-  
 dences in the Case produced were read Comitted to the Jury and are  
 on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict  
 they found for the deffend<sup>t</sup> Confirmation of the former Judgment &  
 Costs of Courts — The execution is Respitted till the end of the first  
 sessions of the Generall Court and the sue<sup>t</sup>j<sup>e</sup>s to Continue a moneth  
 after —

2 Jur  
 Daus ag<sup>t</sup> winsley

Hezekiah Vsher plaintiffe against John Vsher  
 deffendant in an ac<sup>o</sup>n of Appeale from the Judg-  
 ment of the last County Court in Boston After the Attachment Courts  
 Judgment Reasons of Appeale & evidences in the  
 Case produced were read Comitted to the Jury and  
 are on file w<sup>th</sup> the Reccords of this Court the Jury  
 brought in their virdict they found for the plaintiffe reuersion of the  
 forme<sup>r</sup> Judgment & costs of Courts thirty two shillings

2 Jur

Vsher ag<sup>t</sup> Vsher  
 2 Ju

Cap<sup>t</sup> James Olliuer & Thomas Dexter Jun<sup>d</sup> plt  
 ag<sup>t</sup> the Toun[e] of lynn[e] & the selectmen of lynn  
 Tho. Laughton e<sup>r</sup> deffend<sup>t</sup> in an Ac<sup>o</sup>n of Appeale  
 from the Judgment of the County Court at Ipswich  
 as to a nonsuit — the Accon was called & the Court After hearing the  
 Court of Ipswich Judgment Reasons of Appeale & Ans<sup>r</sup> thereto in  
 the Case Doe Judge meete to conti[nue] this Action to the determina-  
 tion of the Generall Court vpon the Question whither a clarke of the

Olliuer e<sup>r</sup> ag<sup>t</sup> Tho  
 Laughton e<sup>r</sup> Select  
 men of Lynne

writts in one Toune hath powe' to graunt Sumons or Attachmen<sup>n</sup> in another Toune —

Joseph Dell & W<sup>m</sup> Longfellow plaintiffs against  
 Child ag<sup>t</sup> Longfellow & Dell  
 37<sup>th</sup> \* 00 10<sup>th</sup> Allwin Child deffend' in an action of Appeale from the Judgment of the County Court in Boston in octobe' last After the Attachmen' Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file the Jury brought in their virdict they found for the deffend' Confirmation of the forme' Judgmt & Costs of Courts on y<sup>e</sup> plaintiff<sup>s</sup> Request the Bond was chanceried to thirty six pounds mony & costs of Courts forty shillings & tenn pence —

W<sup>m</sup> Longfellow & Joseph Dell plaintiffs ag<sup>t</sup>  
 Oxe ag<sup>t</sup> Longfellow & Dell  
 † 127<sup>th</sup> : 3<sup>rd</sup>. 4<sup>th</sup> Robt Oxe deffendant in an action of Appeale from the Judgement of the County Court in octob' last After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Recceords of this Court the Jury found for the deffendant Confirmation of the form' Judgm' & on the plaintiff<sup>s</sup> Request the Court chanceried the bond to one hundred thirty five pounds mony & Costs of Courts : forty three shillings & fowe' pence :

charles Lydget sue'ty for Anthony Roope plt  
 Lydget Ag<sup>t</sup> Hanson against Thomas Hughson deffend' in an action of Appeale from the Judgment of the County Court at Salem After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are re-mayning on file w<sup>th</sup> the Recceords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts

[79<sup>th</sup>]

1677

Hudson Leueret Attorney to Jarvis Ballard  
 Lettett p Ballard ag<sup>t</sup> plaintiff ag<sup>t</sup> mi[ch]aell watts & his Attorney Benjamin  
 watts p Ben Daults daults deffendant in an action of Appeale from the Judgm' of the County Court in Boston in octobe' last After the Attach-

\* Error for "39<sup>th</sup>."† Changed from 127<sup>th</sup>.

ment Courts Judgment Reasons of Appeale & othe<sup>r</sup> evidences in the Case produced were Read Comitted to the Jury & are on file the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgmen<sup>t</sup> & Costs of Courts = fiuteen shillings & sixepenc.

Richard Knight plaintiff ag<sup>t</sup> Thomas Heath de-  
ffend<sup>t</sup> in an Action of Appeale from the Judgment of  
the Comissione's Court After the Attachm<sup>t</sup> Courts Judgm<sup>t</sup> Reasons of  
Appeale & evidences in the Case produced were Read Comitted to the  
Jury & are on file the Jury brought in their virdict they found for the  
deffendan<sup>t</sup> Confirmation of the former Judgmen<sup>t</sup> & Costs of Courts  
thirty one shillings & fowe<sup>r</sup> pence. =

Knight ag<sup>t</sup> Heath

m<sup>r</sup> John Smith plaintiff against m<sup>s</sup> Elizabeth  
Lydget deffend<sup>t</sup> in an Action of Appeale from the  
Judgment of the last County Court in Boston after the Attachment  
Courts Judgment Reasons of Appeale & evidences in y<sup>e</sup> case produced  
were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this  
Court the Jury brought in their virdict they found for the plaintiff  
Reuersion of the forme<sup>r</sup> Judgment & costs of Courts thirty fue shil-  
lings & eight penc.

Smith ag<sup>t</sup> Lidgett.

Leonard Douden plaintiff on Appeale from the  
sentenc of the last County Court in Boston After the  
Reasons of Appeale & evidences in the Case produced  
were read Comitted to the Jury and are on file the Jury found for y<sup>e</sup>  
plantiffe y<sup>t</sup> he was no<sup>t</sup> guilty of y<sup>e</sup> matter chardged ag<sup>t</sup> him & Reu<sup>d</sup>st  
the forme<sup>r</sup> sentenc

Douden<sup>s</sup> sentenc  
Reu<sup>d</sup>st

Phillip Bullis plaintiff ag<sup>t</sup> Hudson Leueret Ad-  
ministrator to y<sup>e</sup> estate of the late Bazaleell Payton  
deffendant In an action of Appeale from y<sup>e</sup> Judgment of the last  
County Court at Boston After the Attachm<sup>t</sup> Courts Judgment Reasons  
of Appeale & evidences in the Case produced were Read Comitted to  
the Jury and are on file the Jury brought in their virdict they found  
for the plaintiff Reuersion of the forme<sup>r</sup> Judgmen<sup>t</sup> & Costs of Courts  
thirty fowe<sup>r</sup> shillings & ten pence =

Bullis ag<sup>t</sup> Leueret

W<sup>m</sup> Phipps plaintiff ag<sup>t</sup> Elisabeth Hamond in an  
Action of Appeale from the Judgment of the County  
Court in octobe<sup>r</sup> last in Boston After the Attachment

phipps ag<sup>t</sup> Ham-  
ond =

Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file the Jury found for the deffend<sup>t</sup> Confirmation of the former Judgement three pounds in mony or money<sup>s</sup> worth & Costs of Courts thirty five shillings & tenn pence

**Ans<sup>r</sup> to Robert Earles petition & Courts order to Repaire y<sup>e</sup> prison** In Answer to Rober<sup>t</sup> Earle keeper of the prison in boston his peticon It is ordered that the Trespere<sup>r</sup> of the Country & the Treasurer of the County of Suffolke shall & are hereby ordered & Impowred to orde<sup>r</sup> mee<sup>t</sup> Instruments fforthwith effectually & substantially to repaire the prison that escapes of malefacto<sup>r</sup>s may be prevented

[80<sup>1</sup>]

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Samuel Hunting of charls Towne was presented by y<sup>e</sup> Grand Jury and Indicted by the name of Samuel Hunting who at or upon the foweth day of Decembe<sup>r</sup> last in the woods by shooting of his gunn in the night did kill the person of John Dexter Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the king his Croune & Dignitje the lawes of God & of this Jurisdiction being brought to the barr and y<sup>e</sup> Question proposed whith<sup>e</sup> Guilty or no<sup>t</sup> Guilty he declared he owned the Indictment & Refferd himself to the Bench as to his triall —

**Samuel Hunting Guilty of manslaughter**  
**he is fined 20<sup>li</sup> to the widow of said J<sup>r</sup> Dexter**

After the Bench had Considered the evidences & pleas declared they found it to be manslaughter And Judged it meet to fine him the suffie of twenty pounds to the widdow of the said John Dexter towards hir losse & daffage and as a fine to the Country five pounds w<sup>ch</sup> is Respitted till the Court take further orde<sup>r</sup>

**& 5<sup>li</sup> to y<sup>e</sup> Country wch is Respitted**

Darby Bryan Resident in Boston being presented by the Grand Jury & was Indicted by the name of Darby Bryan for his not hauing the feare of God before his eyes & being Instigated by the diuill did in or vpon the one & thirtieth day of January last in the night being found in Bed with Abigaile Johnson Comitt the Act of Adultery Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the King his Croune & Dignity the lawes of God and of this Jurisdiction being at the Barr & pleading not Guilty on the question whom he would be trjed by said by the Bench The Bench hauing heard the evidence & the pleas in the Case did

**Darby Bryans confession**



Adjudge & sentence him to be by the marshall Gen<sup>n</sup> or his order from the prison to the Gallows presently after the lecture in Boston & there Cause him to stand w<sup>th</sup> a Roape about his necke & fastned thereto one howe & then taken doune & tyed to a Carts Tayle and at Left ffrary<sup>s</sup> doore stripped from the Girdle vpwards on his naked body to be whipped thence to the prison w<sup>th</sup> thirty nine stripe<sup>s</sup> well layd on & there left till he discharge the chardge of prosecution || to marshall web 6 6 || & ffes<sup>s</sup> of Court —

Abigaile Johnson now resident in Boston being presented by the Grand Jury & was Indicted by the name of Abigaile Johnson for that she not having the feare of God before hir eyes & being Instigated by the Divill did in or vpon the one & thirtieth day of January last in the night being found in bed w<sup>th</sup> Abigail Johnsons  
Indictm<sup>t</sup> Darby Bryan comitt the act of Adultery w<sup>th</sup> him Contrary to the peace of our Soueraigne Lord the King his Crowne & dignity the lawes of God & of this Jurisdiction to wch Indictmen<sup>t</sup> she pleaded not Guilty & put himself on the triall on the bench who hauing heard the euidences & pleas in y<sup>e</sup> Case did Adjudge & senten[ce] hir the sajd Abigaile Johnson to be carrjed by the marshall Generall or his orde<sup>r</sup> to y<sup>e</sup> Gallows e<sup>r</sup> in like manner as aboue in Darby Bryan<sup>s</sup> sentence to suffer in all respects — no charges but six shillings & 6<sup>d</sup> for y<sup>e</sup> marshall Gen<sup>n</sup> as to y<sup>e</sup> ex[ec]ution of y<sup>e</sup> sentence & fees of Court —

[80<sup>2</sup>]

1677

Marea a Spanish Indian servant to stephen ffrench being presented was Indicted by the name of Marea Marea Indictm<sup>t</sup> Indian of weymouth for not hauing the feare of God before hir eyes & being Instigated by the diuill did in octobe<sup>r</sup> or nouembe<sup>r</sup> last murde<sup>r</sup> hir child contrary to the peace of ou<sup>r</sup> Soueraigne Lord the king his Croune & dignity the lawes of God & of this Jurisdiction — After the Jury had perused the euidences in that Case produced they brought in their virdict they found hir not Guilty. —

Robe<sup>t</sup> Dendy bound ouer to Ans<sup>r</sup> for his Conveying a Gimblett to Cooly e<sup>r</sup> prisone<sup>s</sup> that Brake the prison & are escaped After the Court had heard the Case they sentenct him to be seuerely whipt w<sup>th</sup> twenty stripes or pay the fine of twenty Dendy<sup>s</sup> sentenc

pounds money to the Country. In Answer to the peticon of Robe't Dendy e<sup>r</sup> the Cour<sup>t</sup> Saw Cause to Remitt the fine to forty shillings & fees of Court = y<sup>e</sup> 40<sup>s</sup> was paid in Court & by Return wayt sent to y<sup>e</sup> Tresu<sup>r</sup>.

In Answer to the petition of Rebeckah Cooly  
 An<sup>s</sup> to Rebeckah Cooly's petition = wife to Richard Cooly that was Comitted to prison in orde<sup>r</sup> to his triall e<sup>r</sup> y<sup>e</sup> brake y<sup>e</sup> prison & is fled e<sup>r</sup>  
 The Court Respitts y<sup>e</sup> Answe<sup>r</sup> to hir peticon till the nex<sup>t</sup> Court of As-  
 sistants =

Ephraim Beamis of water Towne being Complained on & bound ouer to this Court for his trapp[ani]ng & Pandoring of mary Willard by his lying & false Information in orde<sup>r</sup> to hir being abused by one Jn<sup>o</sup> oynes vnde<sup>r</sup> y<sup>e</sup> name of one m<sup>r</sup> woodman was brought to the barr & charged therew<sup>th</sup> desiring his libe<sup>r</sup>ty to be tryed by a Jury wch was granted him After the pleas & euidences in the case produced were read Comitted to the Jury and are on file the Jury brought in their virdict they found him y<sup>e</sup> sajd Ephraim Beamis by lying & false Information Guilty of witting & willing trapaning & pandoring of mary willard to the end that John oynes might Comitt Adultery with hir = The Court hath Considered of yo<sup>r</sup> offence whereof yow the sajd Ephraim Beamis stands Convicted and doe sentence yow by the order of the marshall Gennerall or his order to be Carried to the Gallowes & there Caused to stand w<sup>th</sup> a Roape about your neck fastned thereto for one howe<sup>r</sup> and then taken doune and tyed to y<sup>e</sup> Carts tayle & at Leiftenn<sup>t</sup> Frary<sup>s</sup> to be stripped from the Girdle vpwards: & then Cause the executione<sup>r</sup> to whip yow thence to the prison w<sup>th</sup> thirty nine stripes on yo<sup>r</sup> naked body & there leaue yo<sup>r</sup> in prison till yow discharge the || charge of yo<sup>r</sup> || prosecution & pay ffes of Court — which<sub>A</sub>

Thomas Bell & Henry willis of stonington brought & presented their bill of charges for bringing downe John Dickeson & Benja: Barker that had broake Prison wch came to sixe pounds twelue shillings It is ordered that the Tresurer of the Country Discharge the sajd bill of charges sixe pounds twelue shillings in mony & chardge it<sub>A</sub> the keeper of the prisons Account as to his sallery. Robe<sup>t</sup> Earle.\*

Bill of charge for  
 bringing doune Bar-  
 ker & Dickeson =

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\* The keeper of the prison.

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1677

John winsland being bound ouer to Answe<sup>r</sup> for his killing of <sup>^</sup> murdering of william Taylor = The grand Jury \* on prvsall of the evidences in y<sup>t</sup> case brought in their virdict they found him not Guilty of witting or wilfull murder =

[Large blank space.]

[82]

1677 †

Att A Court of Assistants or Court of Admiralty held at Boston 24 May 78 & thenc Adjourned to 28<sup>th</sup> Instant may =

Thomas Bromhall mate Richard peete's Laurence Boales & John Ragland marrine's of Catch John and Benjamin plaintiffs by their libell & Complaint exhibbited to this Court 24<sup>th</sup> may 1678 & Adjourned to 28 Instant at one of the clocke against w<sup>m</sup> Long m<sup>r</sup> of the said Catch Jn<sup>o</sup> & Benjamin deffendant = according to Attachment dated 17<sup>th</sup> may: 1678. who w<sup>th</sup> the said vessell was Attached and bound ouer in one hundred twenty & sixe pounds to respond the decree & Judgment of this Court for that the said Deffendant Refused to pay vnto the said mate & Company their seuerall wages i e to y<sup>c</sup> s<sup>d</sup> Bromhall mate twenty fue pounds ten shillings or thereabout and to the said Peeter a thirteene pounds to said Boules a tenn pounds ten shillings & to the said Ragland a fuety shillings for their se<sup>r</sup>vice donn in said Catch as in said Attachment & by evidence & said maste's Acknowledgement appears After the libell Attachment & evidences in the Case produced were read & are on file the Court found for the plaintiff<sup>s</sup> and orde<sup>r</sup> & decree that the Deffendant m<sup>r</sup> & Catch pay vnto Thomas Bromhall twenty fue pounds fue shillings to Richard Peete's twelue pounds fueteene shillings to Lawrence Bowles tenn pounds <sup>^</sup> to Jn<sup>o</sup> Ragland fuety shillings w<sup>th</sup> Costs & charges of Court three pounds seven shillings & two pence in all fuety three pounds seventeen shillings & two pence mony. =

present  
Jn<sup>o</sup> Leueret Esq<sup>r</sup> Golt:  
Symon Bradstreet  
Daniel Gookin  
Tho Danforth  
Edw Tyng  
Joseph Dudley  
— — — —  
On 28: y<sup>c</sup> same & W<sup>m</sup>  
Hathorn Esq<sup>r</sup>

} Esq<sup>r</sup>s

execut: Issued out  
28<sup>th</sup>: 78.

Olliuer Berry Mate Georg Bucknell w<sup>m</sup> Lydston John Potts, Philip Blansheard Jn<sup>o</sup> Kelsey, Tho Cox; Jacob Halgen charles Broune

\* Error of the record for Jury of Trials?

† Error in the original for 1678.

& Edward Blancheard marrine's of the Pincke Endeavo<sup>r</sup> plaintiff<sup>s</sup> ag<sup>t</sup> James Lang master of the sajd Pincke endeavo<sup>r</sup> deffend<sup>t</sup> according to libell & Complaint exhibitted to this Court & Attachment dated 27<sup>th</sup> may 1678. The sajd master & pinke being bound ouer to this Court to Respond the plaintiff<sup>s</sup> for their seuerall wages for se<sup>r</sup>vice donn in sajd Pincke to value of one hundred twenty & fowe<sup>r</sup> pounds eight shillings & sixe pence or thereabouts expressed in the ~~Attachment~~ ¶ ffoote of the ¶ sajd libell appeares After the libell pleas & evidences in the Case were read & duely Considered of the Court declared they found for the plaintiff<sup>s</sup> and did orde<sup>r</sup> and decree that the deffendant pay vnto olliuer Berry nineteen pounds fowe<sup>r</sup>teene shillings to Georg Bucknell eleven pounds seventeen shillings & sixe pence to Phillip Blansheard tenn pounds eleven shillings to w<sup>m</sup> Lydston eleven pounds sixe shillings to Jn<sup>o</sup> Potts seventeen pounds eight shillings & six pence to John Kelsey nine pounds eight shillings to Thomas Cox tenn pounds twelve shillings to Jacob Halgen tenn pounds eight shillings to charles Broune nine pounds two shillings & to Edward Blansheard seven pounds two shillings in all one hundred & seventeen pounds eight<sup>\*</sup> shillings mony w<sup>th</sup> Costs & charges of Court three pounds nine shillings & eight pence in all one hundred & twenty pounds seventeen shillings & eight pence each man defalking sixe shillings & eight pence apeece for their proportion of drink mentioned in y<sup>e</sup> masters Account.

*[The two following paragraphs are on the margin of the page]:*

James Bell marine<sup>r</sup> of Catch Betty by his libell plaintiff<sup>s</sup> ag<sup>t</sup> Edw<sup>d</sup> North master of sajd Catch deffend<sup>t</sup> for Remainder of his wages as in s<sup>d</sup> libell on file is exprest After the libell & evidences in the Case produced were Read e<sup>r</sup> the plaintiff w<sup>th</sup>drew his Ac<sup>on</sup> paying y<sup>e</sup> deffend<sup>t</sup> his Costs thirteen shillings —

memento. novembe<sup>r</sup> 78 y<sup>e</sup> marshall left w<sup>th</sup> me nine pounds seuen shillings & fowe<sup>r</sup> pence to be Reponded † to y<sup>e</sup> owne<sup>s</sup> of James Lang.

[83]

1677 †

Att A Court of Assistants or Cour<sup>t</sup> of Admiralty called & sitting in Boston 1<sup>st</sup> day of July 1678 and Adjourned to y<sup>e</sup> 9<sup>th</sup> July 1678.

Jn<sup>o</sup> Culpepper master of the barcq Called the Recouery by his libell & Complaint plaintiff<sup>s</sup> against John woodmansey deffendant as p

\* Error in the record for "nine" ?

† Error in the record for "Responded" ?

‡ Error in the record for "1678."

his said libel: exhibited to this Court Appareth for his the said woodmansey arresting the Barq Recouery & Cargoe on pretence of a debt due to him from Zechariah Gillam to whom the said Barq & Cargoe as he pretends doth belong thereby prejudicing the said Culpepper & his owne's making a stop of the said Barq & Cargoe to his great Damage to value of one hundred pounds as in s<sup>d</sup> libell 24 June<sup>r</sup> || 78 || may appeare After the Court had heard the s<sup>d</sup> libell & evidences in the Case produced & Considered the same they found for the plaintiff the deliury of the said ship & Goods in such condition as it was seized & five pounds damage & Costs of Court three pounds one shilling all in mony. — ~~fifty three~~

Jn<sup>o</sup> Joanes marriner belonging to the ship treble Croune by his libell & Complaint plaintiff ag<sup>t</sup> w<sup>m</sup> Sterry master of the said ship deffend<sup>t</sup> for that he the said stermy m<sup>r</sup> & Comande<sup>r</sup> of said ship hath refused to pay vnto the said Joanes eight pounds tenn shillings mony due to him for his wages for his se<sup>r</sup>vice donn in said ship for five months twenty six dayes as in said libell is expressed as also for deteyning from him the said Joanes his chest cloaths & what is in his chest as Instruments &c being also worth tenn pounds more in money in all the sume of eightene pounds in mony: After the Attachment libell & evidences in the Case produced were read & duely Considered the Court declared they found for y<sup>e</sup> deffendant Costs of Court

[Blank space.]

[84]

1678

Att A Court of Assistants held at Boston  
3<sup>d</sup> of Septembe<sup>r</sup> 1678. — & Adjourned to the 5<sup>th</sup>  
of Septembe<sup>r</sup> Inst.

The Grand Jury brought in their bills of  
preseff<sup>t</sup> & Indictm<sup>t</sup> and were discharged — 6  
(7)78.

present  
Jn<sup>o</sup> Leneret Esq<sup>r</sup> Go<sup>o</sup>  
Sam. Symon[s] Esq<sup>r</sup>  
dept Go<sup>o</sup> 5<sup>th</sup>  
Symon Bradstreet 3  
Daniel Gookin 3  
Daniel Dennison 5  
W<sup>m</sup> Hawthorn 3  
Jn<sup>o</sup> Pyncheon 3  
Edw<sup>d</sup> Tyng 3

} Esq<sup>r</sup>

Isaack waldron plaintiff against W<sup>m</sup> Hende'son  
deffend<sup>t</sup> in an accon of Appeale from the Judgment  
of the County Court in Boston in  
Aprill last After the Attachment  
Courts Judgmen<sup>t</sup> Reasons of Appeale  
& evidences in the Case produced

execut Issued out  
31 m<sup>ch</sup> 78  
[dd to M<sup>r</sup> Nor<sup>m</sup>]

person<sup>s</sup> Returnd to  
serve on the Grand  
Jury sworn

— — — —  
m<sup>r</sup> W<sup>m</sup> Parkes  
W<sup>m</sup> English  
W<sup>m</sup> Bartholmew  
Elisha Hutchinson  
Dani. Turill

Ralph Haughton  
 Jn<sup>e</sup> Pelton  
 Elias Row  
 James Cary  
 Jonas Clarke  
 W<sup>m</sup> maning  
 Henry Bright  
 Jn<sup>e</sup> warren  
 phillip Torrey  
 persons Returnd to  
 serve on y<sup>e</sup> 1<sup>st</sup> Jury  
 for trials of Ap-  
 peale & for life &  
 Sworne  
 —————  
 Left Samuel Ryles  
 Stephen Burton  
 Jn<sup>e</sup> V[ya]ll<sup>e</sup>  
 Thomas Bill  
 David Jones  
 Jn<sup>e</sup> Swett  
 mathew Solly  
 James Prentice  
 w<sup>m</sup> Parry  
 Nathaniel Coolidge  
 Toby davis  
 Tho. moore insted  
 of Jn<sup>e</sup> Swett in y<sup>e</sup>  
 Capitol Case only:  
 —————

were Read Comitted to the Jury & are on file w<sup>th</sup> the  
 Reccords of this Court the Jury brought in their vir-  
 dict they found for the deffendant  
 mem to 4<sup>th</sup> fl: Confirmation of the forme<sup>r</sup> Judgment  
 & Costs of Courts fuetly three shilling & eight pence

Isaack Waldron plaintiff ag<sup>t</sup> Thomas Tare deffend<sup>t</sup>  
 in an action of Appeale from the Judgment of the  
 County Court at Portsmouth after the Attachment  
 Courts Judgment Reason<sup>s</sup> of Appeale & evidences in  
 the Case produced were read Comitted to the Jury &  
 are on file w<sup>th</sup> the Reccords of this Cour<sup>t</sup> the Jury  
 brought in their virdict i e: In Case the Honoured  
 Court doe Judge y<sup>e</sup> word day† in the top of the Ac-  
 count to be all one w<sup>th</sup> the word daw in the bottome  
 of the Account then wee finde for the deffendant  
 the Confirmation of the former virdict w<sup>th</sup> y<sup>e</sup> Costs of  
 Courts otherwise wee finde for the Apellant Costs  
 of Courts The magis<sup>tr</sup> doe finde for the plaintiff Costs  
 of Courts fowe<sup>r</sup> pounds sixteen shillings

Francis Nurse plaintiff against Zerrubbabell Endeco<sup>t</sup> defend<sup>t</sup> in  
 an action of Appeale from the Judgment of the County Court at  
 Salem After the Attachment Courts Judgment Reasons of Appeale &  
 evidences in the Case produced were read Comitted to the Jury and  
 are on file w<sup>th</sup> the Reccords of this Cour<sup>t</sup> the Jury brought in their  
 virdict they found for the deffendant Confirmation of the forme<sup>r</sup>  
 Judgmt & Costs of Courts three pounds nineteen shillings & sixe pence.  
 It is ordered by the Go<sup>vd</sup>no<sup>r</sup> & magistrates that execution in this Case  
 be suspended till the plaintiffe make his Aplication to the nex<sup>t</sup> Gen-  
 nerall Cour<sup>t</sup> in octobe<sup>r</sup> next. —

[85]

1678

Barnes ag<sup>t</sup> Kembell  
 & W<sup>m</sup> & executi  
 Issued out 22(7): 78  
 The names of y<sup>e</sup>  
 persons Returnd to  
 serve on the 2<sup>d</sup> Jury

James Barnes plaintiffe ag<sup>t</sup> Thomas kemble &  
 Richard Willjams deffend<sup>t</sup> in An action of Appeale  
 from the Judgment of the Comissione's Court last in  
 Boston. After the Attachm<sup>t</sup> Courts Judgment Reasons  
 of Appeale & evidences in the Case produced were

\* Written over "White."

† Day, Ship's Captain. As to the words, see the original papers, Suff. Files, Nos. 1734 and 1773.

read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for y<sup>e</sup> plaintiff Reuersion of the former Judgm<sup>t</sup> & damage fowe<sup>r</sup> pounds seventeen shillings & three pence & Costs of Courts fluety one shillings & tenn penc: in all. 7 : 9. 01 :

|| exec Issued out 22 Sep<sup>r</sup> 78 E R S. ||

Daniel fairefeild plaintiff ag<sup>t</sup> Elizabeth fairefeild deffend<sup>t</sup> in an action of Appeale from the Judgment of the Comissione's Court in Boston. After the Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment w<sup>th</sup> seuen shillings more & Costs of Courts twenty & seuen shillings & tenn penc.

of tryalls for Appeals & swornes  
— — — — —  
m<sup>r</sup> Joseph Beaumis  
Sampson waters  
Tho: Stanbury  
James Halsey  
Jn<sup>o</sup> white Joy[n<sup>e</sup>]  
Jn<sup>o</sup> Betts  
Jn<sup>o</sup> Smith  
Tho Greenwood  
Jn<sup>o</sup> Jackson  
Richard Sattle  
Caleb Lambe  
Tho: Bird  
— — — — —

Jn<sup>o</sup> Clary plaintiffe against Benja willington deffend<sup>t</sup> in an action of Appeale from the Judgment of the las<sup>t</sup> County Court at Cambridge. After the Attachment Courts Judgment Reasons of Appeale & evidences in the case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for [the] deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts = twenty seuen shillings & fowe<sup>r</sup> penc

Clary Ag<sup>t</sup> Willington 14 p 1<sup>o</sup>: 4<sup>d</sup> due executl Issued out Apr 29, 1679 E R.

Sarah Alcock: widdow relict of the late Sam Alcock plaintiff against Rich<sup>d</sup> meade deffend<sup>t</sup> in an Accon of Appeale from the Judgment of the County Court in Aprill last in Boston = y<sup>e</sup> partjes being Agreed the plaintiffe had liberty & did w<sup>th</sup>draw hir Accon. =

Alcock ag<sup>t</sup> mead.

Roge<sup>r</sup> Rose plaintiff ag<sup>t</sup> Samuel Stowell deffend<sup>t</sup> in an action of Appeale from the Judgment of the last County Court in Boston after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffnd<sup>t</sup> Confirmation of the former Judgment & Costs of Courts forty eight shilling<sup>s</sup> & three pence =

Rose ag<sup>t</sup> stowell  
48. 8<sup>d</sup>: 21 12

Rich. way & Jn<sup>o</sup> Endeco<sup>t</sup> plaintiffs as trustees  
 deoot ag<sup>t</sup> Benj Alford  
 c<sup>r</sup> to Martha Emery c<sup>r</sup> ag<sup>t</sup> Benjamin Alford Attur-  
 ney to Jn<sup>o</sup> Sweeting of London Adm[inis]trato<sup>r</sup> to y<sup>e</sup>  
 estate of his son Jn<sup>o</sup> Sweeting deffend<sup>t</sup> in an Acton of  
 Appeale from the Judgment of the County in July last at Boston  
 After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences  
 in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup>  
 the Reccords of this Court the Jury brought in their  
 execution Issu<sup>d</sup> virdict they found for the deffend<sup>t</sup> Confirmation of the  
 forme<sup>r</sup> Judgment & Costs of Courts thirty nine shillings & fowe<sup>r</sup>  
 pence —

[86]

16[78]

Cap<sup>t</sup> Jn<sup>o</sup> Hull plaintiff ag<sup>t</sup> Elisha Cooke Attorney to Cap<sup>t</sup> Jn<sup>o</sup> win-  
 coll deffendant in an Action of Appeale from the Judgment of the  
 County Court in Boston in Aprill las<sup>t</sup> After the Attachmen<sup>t</sup> Courts  
 Judgm<sup>t</sup> Reasons of Appeale & evidences in the case  
 Hull ag<sup>t</sup> Cooke produced were Read Comitted to the Jury and are on  
 file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict i e  
 If according to law a man may sue as an Attorney Irrevocable in an-  
 other mans name but for his oune vse & behooffe (of him the sajd At-  
 turney) and yet his Attourniship in any respect not Invallid nor  
 thereby made an Assignee then — wee finde for the deffendant a Con-  
 firmation of the forme<sup>r</sup> Judgment & Costs of Courts: If othe<sup>r</sup>wise wee  
 finde for the plaintiff & Costs of Courts In this Case the magists  
 finde for the plaintiff Costs of Courts — fiuety nine shillings —

Richard way & Jn<sup>o</sup> Endeco<sup>t</sup> trustees c<sup>r</sup> to martha  
 way c<sup>r</sup> ag<sup>t</sup> Kent Emery plaintiffs against w<sup>m</sup> Kent & Richard Knight  
 Attorney<sup>s</sup> to Samuel Hauford deffend<sup>t</sup> in an action of Appeale from  
 the Judgment of the last County Court in Boston After the Attachment  
 Courts Judg<sup>t</sup> Reasons of Appeale & evidences in the Case produced  
 were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this  
 Cour<sup>t</sup> the Jury brought in their virdict they found for the deffend<sup>t</sup> Con-  
 firmation of the forme<sup>r</sup> Judgment & Costs of Courts three pounds fue-  
 teen shillings and tenn pence —

Jn<sup>o</sup> Turno<sup>r</sup> plaintiff ag<sup>t</sup> Seth perry deffend<sup>t</sup> in an Acton of Appeale  
 from the Judgm<sup>t</sup> of the Comission<sup>s</sup> Court in Boston  
 Turner ag<sup>t</sup> Perry the action Called the partjes being Agreed had libe<sup>r</sup>ty  
 to & did w<sup>th</sup>draw his Action.



George Purkis substitute to Charles Oughtred Attorney to Samuel Sheaffe of London plaintiff in an action of Appeale ag<sup>t</sup> Jn<sup>o</sup> Palmer y<sup>t</sup> married w<sup>th</sup> Sarah Relict & Admns-  
tratrix of the estate of John Windor as also against the  
estate of y<sup>e</sup> late Robert Gibbs in the hands of Jonathan Corwin that  
married w<sup>th</sup> Elisabeth the relict e<sup>r</sup> of s<sup>d</sup> Gibbs defendant from the  
Judgm<sup>t</sup> of the County Court last in Boston the Accon was called Courts  
Judgment Reasons of Appeale & Ans<sup>r</sup> thereto Read on all<sup>^</sup> was heard  
the Court ordered y<sup>t</sup> each <sup>^</sup> parties have their owne papers Again —

Purkis ag<sup>t</sup> Palmer  
& Corwin

In the second Accon of Georg Purkis plt ag<sup>t</sup>  
the same persons in all Respects like order was de-  
clared —

Purkis ag<sup>t</sup> Palmer  
& Corwin

[87]

1678

Theode<sup>r</sup> Atkinson plaintiffe against Abraham Perkins defend<sup>t</sup> in  
an Acton of Appeale from the Judgment of the County  
Court last at Salem: After the Attachment Courts  
Judgment Reasons of Appeale & evidences in the  
Case produced were Read Comitted to the Jury and are on file the Jury  
brought in their virdict they found for the plaintiff Reuersion of the  
forme<sup>r</sup> Judgment & Costs of Courts fowe<sup>r</sup> pounds & fowe<sup>r</sup> pence

Atkinson ag<sup>t</sup>  
Perkins

Jn<sup>o</sup> Putman Nathaniel Putman John Dodge e<sup>r</sup> plaintiff on Ap-  
peale from the sentence of the County Court last at  
Salem. The plaintiff & majo<sup>r</sup> Hawthorn declaring  
they were agreed had libe<sup>r</sup>ty to w<sup>th</sup>draw their Accon —

Putmans on  
Appeale e<sup>r</sup>

Samuel Apleton Jun<sup>d</sup> plaintiff in an action of Appeale ag<sup>t</sup> majo<sup>r</sup>  
Thomas Sauage defendant from the Judgment of the  
last County Court at Salem After the Attachment  
Courts Judgment Reasons of Appeale & evidences in the Case pro-  
duced were read Comitted to the Jury & are Remayning on file w<sup>th</sup> the  
Reccords of this Court the Jury brought in their virdi[c]t they found  
for the defendant Confirmation of the former Judgment & Costs of  
Courts fowe<sup>r</sup> pounds three shillings & seven pence —  
Samuel Apleton Jun<sup>d</sup> in open Court he attainted the  
Jury: — & Samuel Apleton Jun<sup>d</sup> in two thousan[d] pounds & Samuel  
Apleton & W<sup>m</sup> Dounes his sue<sup>t</sup>jies in a thousand pounds apeece  
acknowledged themselves respectively bound to the Tresurer of the

Apleton ag<sup>t</sup> Sauage

Beamis forman

Country on Condition that Samuel Apleton Jun<sup>d</sup> prosecute his attain<sup>t</sup> of the said Jury at the nex<sup>t</sup> Court of Assistants to effect E R S.

Gifford ag<sup>t</sup> Lee      Jn<sup>o</sup> Gifford plaintiff in an action of Appeale from  
the Judgment of the last County Court at Ipswich =  
|| ag<sup>t</sup> Jn<sup>o</sup> Lee deffend<sup>t</sup> || After the Attachm<sup>t</sup> Courts Judgment Reasons  
of Appeale & evidences in the case produced were read Comitted to the  
Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in  
their virdict they found for the deffendant Confirmation of the former  
Judgmen<sup>t</sup> & Costs of Courts five pounds eight shillings & tenn<sup>s</sup> &  
though the bond was desired to be chancerje the partjes were heard  
Court declared they saw no Cause to Chancerje the bond. —

Thomas Lacy plaintiff in behalf of Robe<sup>t</sup> ox<sup>e</sup> ag<sup>t</sup> Jn<sup>o</sup> Keene  
Lacy ag<sup>t</sup> Keene      deffend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of  
the County Court in Aprill last after the Attachment  
Courts Judgment Reasons of Appeale & evidences in the Case produced  
were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this  
Court the Jury brought in their virdict they found for the plaintiff  
Reuersion of the forme<sup>t</sup> Judgment & Costs of Courts fiuet<sup>y</sup> sixe shil-  
lings & tenn pence.

[88]

1678

Lacy ag<sup>t</sup> -ose-      Tho Lacy q<sup>d</sup> Robt ox<sup>e</sup> plaintiff ag<sup>t</sup> Augustin melott  
|| millott ||      deffend<sup>t</sup> in An action of Appeale from the Judgment  
in ye 1<sup>st</sup> Case      of the County Court at Cambridge Tho Lacy owned  
abt y<sup>e</sup> bond =      himself to his master m<sup>r</sup> ox<sup>e</sup> Attorney & said so Ap-  
peared in Cambridge Court & doth so at y<sup>e</sup> Court m<sup>r</sup> James whetcombe  
one of y<sup>e</sup> said ox<sup>e</sup> suertjes for s<sup>d</sup> ox<sup>e</sup> psecution of the Appeale owned  
also y<sup>t</sup> he was m<sup>r</sup> ox<sup>e</sup> Attorney & stands by him as such to psecute y<sup>e</sup>  
Appeale as he is bound And so it pceeded After the Attachmen<sup>t</sup>  
Courts Judgment Reasons of Appeale and evidences in the Case pro-  
duced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords  
of this Cour<sup>t</sup> the Jury brought in their virdict they found for the  
deffendant Confirmg the former Judgmen<sup>t</sup> & Costs of Courts

Lacy ag<sup>t</sup> melot as to      Tho. Lacy plaintiff ag<sup>t</sup> Augustin melot deffendant  
Ballery 2 Acti      in an action of Appeale from the Judgm<sup>t</sup> of the  
County Cour<sup>t</sup> at Cambridge After the Courts Judg-  
men<sup>t</sup> Reasons of Appeale & evidences in the Case produced were Read

Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff Reuersing the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts three pounds eleven shillings & tenn pence —

Joshua Boynton pl<sup>t</sup> ag<sup>t</sup> Stephen Cross deffend<sup>t</sup> in  
an action of Appeale from the Judgm<sup>t</sup> of the County Boynton ag<sup>t</sup> Crosse  
Court at Ipswich partie<sup>s</sup> being Agree<sup>d</sup> y<sup>e</sup> plaintiff had libe<sup>r</sup>ty to & he  
did w<sup>th</sup>draw his Acton

Nathaniel ffox plaintiff ag<sup>t</sup> Jn<sup>o</sup> Leueret Esq<sup>r</sup> Go<sup>d</sup>  
defend<sup>t</sup> in an action of Appeale from the Judgment of ffox ag<sup>t</sup> Jn<sup>o</sup> Leueret  
Esq<sup>r</sup> Go<sup>d</sup>  
the last County Court in Boston the Partjes being  
Agreed the plantiff had his libe<sup>r</sup>ty to & he did w<sup>th</sup>draw his action —

Cardin Drabston of water<sup>r</sup>Towne spinster being  
presented by the Grand Jury was brought to the barr  
& Indicted by the name of Cardin Drabston se<sup>r</sup>vant to  
Christophe<sup>r</sup> Grant se<sup>n</sup> for not hauing the feare of God before hir eyes  
hauing Comitted fornication & brought forth a child on the thirtjeth  
day of June last pretending the same to be dead borne  
not Calling any help at hir trauaile being Instigated Cardin Drabston<sup>r</sup>  
Indictm<sup>t</sup>  
by the diuill murdered it Concealing it fiae days &  
then buried it in sajd Grants yard Contrary to y<sup>e</sup> peac  
of ou<sup>r</sup> Soueraigne Lord the king his Crowne & dignity the lawes of  
God & this Jurisdiction, to wch Indictment the prisone<sup>r</sup> at the barr  
pleaded not Guilty put herself on triall on God & the Country after  
the euidences ag<sup>t</sup> hir were Read & Comitted w<sup>th</sup> the Indictmen<sup>t</sup> to y<sup>e</sup>  
Jury & are on file the Jury brought in their virdict they found hir not  
Guilty of murder according to Indictment ordered [she] dis-  
charge the witness  
& keeps ffoes e<sup>r</sup>:

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1678

Christophe<sup>r</sup> Grant Ju<sup>n</sup> of WaterTowne being presented by the  
Grand Jury was Indicted by the name of christophe<sup>r</sup> Grant Ju<sup>n</sup> for not  
hauing the feare of God before his eyes being insti-  
gated by the diuill hauing Comitted fornication w<sup>th</sup> xtophe<sup>r</sup> Grants J<sup>n</sup>  
tryall e<sup>r</sup>  
Cardin Drabston of sajd water Towne spinster whereby  
she brought forth a child into the world on 30<sup>th</sup> of June last which  
was murdered & kept fiae dayes & then buried it Concealled the murde<sup>r</sup>  
& made no discouery of it Contrary to the peace of our Soueraigne

Lord the King his Croune & dignity the lawes of God and of this Jurisdiction to which Indictment the prisoner at the barr pleaded not Guilty & put himself on his trjall by God & the Country after the evidences ag<sup>t</sup> him were read & w<sup>th</sup> y<sup>e</sup> Indictment Comitted to the Jury the Jury brought in their virdict they found him not Guilty according to Indictment

Mary Hare being presented by the Grand Jury was brought to the barr & was Indicted by the name of mary hare wife of Daudid Hare for not hauing the ffeare of God before you<sup>r</sup> eyes & being  
mary Hares Indictm<sup>t</sup>  
for Adultery Instigated by the Diuill did Comitt Adultery in the Absenc of you<sup>r</sup> husband who went hence to virginea about the midle of July 1677 & was absent till the midle of may last Confrary to the peace of our Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction to wch Indictment she pleaded not Guilty put himself on triall on God & the Country — After the evidences produced ag<sup>t</sup> hir were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Cour<sup>t</sup> the Jury brought in their virdict they found hir not Guilty according to Indictment

Also Mary Hare the wife of Daudid Hare was Indicted by the name of mary Hare for not hauing the feare of God before hir eyes being  
Mary Hares Indictm<sup>t</sup>  
for murder Instigated by the diuill Comitted Adultery in the Absence of you<sup>r</sup> Husband on 13<sup>th</sup> August last brought a child into the world & for want of timely help murdered it contrary to the peace of ou<sup>r</sup> Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction — to which Indictment she pleaded no<sup>t</sup> Guilty & put himself on triall on God & the Country. After the Indictment & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found hir not guilty

It is ordered y<sup>t</sup> y<sup>e</sup> prisone<sup>r</sup>s discharge all the charges of witnesses & fees of Court

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1678

The Kenny negro to francis wyman being bound ouer to this Court from Cambridge made default & his sue<sup>t</sup>jes being thrice called ff<sup>r</sup>ancis wyman his sue<sup>t</sup>y Came afterwards while the Cour<sup>t</sup> was sitting w<sup>th</sup> the negro wch was Accepted — & sajd ff<sup>r</sup>ancis wyman Acknowl-

edged himself to stand bound in the same bond he was bound in to the Tresurer of midlesex for the Appearance of his negro Thomas Kenny at the Court of Assistants Sep<sup>r</sup> 1678 that he shall appeare before the nex<sup>t</sup> Court of Assistants in march next  
as Attests Edw. Rawson secrety

9<sup>th</sup> of Sep<sup>r</sup> 1678.

Itt is ordered that the Tresurer of the Country m<sup>r</sup> Jn<sup>o</sup> Hull deliuer & pay vnto major Hawthorne (who is Appointed by the Gennerall Court to keepe hampton & salisbury Courts this yeare, the sume of fuety shillings mony to enable him thereto: — E R S.

Allexande<sup>r</sup> Colman \* being Complayned on for his endeavoring to make disturbance of the people in time of publick worship on the last Lords day in the 3<sup>d</sup> meeting house in Boston by Going in w<sup>th</sup> only a dirty ffrack of Canvice all bloody & no othe<sup>r</sup> cloaths y<sup>e</sup> Constable hauing Carried him to prison he was sent for & being demanded whenc he came he Came from neuis the last place being Askt why he endeavored to make disturbance to the people of God on y<sup>e</sup> Lords day while they were in the publick worship of God e<sup>r</sup> The Court Considering yo<sup>r</sup> offence sentenc<sup>t</sup> yow † to be whipt w<sup>th</sup> 15 stripes on y<sup>e</sup> naked bod[y] well lajd on & by y<sup>e</sup> constable to be sent out of Toune putting on his frock

In answer to the petition of m<sup>s</sup> Hope Ambrose Informing that hir husband m<sup>r</sup> Samuel Ambrose hath absented himself from hir vpwards of fowe<sup>r</sup> yeares & left hir not only w<sup>th</sup>out due prouission for the maintenance of herself & children but as Appeares by the testimony of w<sup>m</sup> Timbe<sup>r</sup>leg & John Hunt in Jamajca hath broake his marriage Couenant & keepest another woman at Jamajca as his whore & hath || had || carnall fellowship w<sup>th</sup> hir seuerall times || & w<sup>th</sup> others || as he hath boasted The Court Judgeth it meete to declare that he hath broake his marriage Couenant w<sup>th</sup> hir and so she is at libe<sup>r</sup>ty to marry w<sup>th</sup> another man — past E R S

Hope Ambrose  
divorce

Vpon the difference betweene Hugh march & Dorcas his wife It was put to the Question whither Hugh march and the sajd Dorcas might still lawfully live as man & wife The Court Resolued it on the negative —

Courts Resolue as  
to Hugh march &  
Dorcas his wife ||

\* Or Calman.

† Written over the word "him."

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1678

Att A Court of Assistants or Court of Admiralty held at Boston  
14<sup>th</sup> of octobe<sup>r</sup> 1678

<p>present Jn<sup>e</sup> Leueret Esq<sup>r</sup> Go<sup>d</sup> Symon Bradstreet Daniell Dennison Tho Danforth Jn<sup>e</sup> Pinchon Edw<sup>d</sup> Tyng Joseph Dudley — — — —</p>	<p>m<sup>r</sup> Dominick Bodkin plaintiffe by his libell &amp; Complaint exhibbited to this Court bearing date 10 Instant ag<sup>t</sup> m<sup>r</sup> Robe<sup>t</sup> Brimsden deffend<sup>t</sup> for that he the said Brimsden hath broken the Charter party by Coming away from virginea w<sup>th</sup> the vessell called the Beginning &amp; one necke master of y<sup>e</sup> said barcq leauing him in a strajng place &amp; forcing him to his great dam- age to leaue his Concernes &amp; follow him hither where he hath wayted on him for fiae months if possible to receive sattis- faction e<sup>r</sup> as in the said Attachment Refferenc thereto being had appeares After the plea<sup>s</sup> &amp; euidences in the Case produced by the parties the Court declared they found for the deffendant Costs of Court twenty eight shillings &amp; fowe<sup>r</sup> pence =</p>
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Att A Court of Assistants || or || Admiralty held at Boston the 8<sup>th</sup>  
of nouembe<sup>r</sup> and Adjourned to the 13<sup>th</sup> Jnstant 1678

<p>present Jn<sup>e</sup> Leueret Esq<sup>r</sup> Go<sup>d</sup> Symon Bradstreet Esq<sup>r</sup> D G. Daniel Dennison Tho Danforth w<sup>m</sup> Hauthorne Esq<sup>r</sup>s Edw<sup>d</sup> Tyng. — Nathani: Saltonstall — — — —</p>	<p>In the Case of Paul Creane Boat swajne of the ship James ffrygott in behalfe of himselfe &amp; Jn<sup>e</sup> ffreeman Gunner Othra Christo<sup>p</sup>her Carpenter Jn<sup>e</sup> Coale Jn<sup>e</sup> wheatly Jn<sup>e</sup> Smalebones Anthony viner &amp; Joseph Good[uin] marriners of s<sup>d</sup> ship plaintiff<sup>s</sup> against said ship James ffrygot &amp; Robe<sup>t</sup> Daniel the now master thereof deffendant according to the libell &amp; Complaint w<sup>th</sup> the Attachment of said Creane bearing date e<sup>r</sup> for that the said Robe<sup>t</sup> Daniel successor of Solomon Blackleach now master hath refused and doth to pay them their wages as Justly Appeares by their Account Giuen in amounting to seventy one pounds twelue shilling<sup>s</sup> &amp; fiae pence after the Court had heard the Case pleas &amp; euidences therein produced they declar<sup>d</sup> they found for the plaintiffs that the deffendant ship e<sup>r</sup> pay the plaintiffs their wages in mony seventy one pounds twelue shillings &amp; fiae pence damage &amp; Costs &amp; Charges of Court ffowe<sup>r</sup> pounds seven shillings =</p>
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Dominicke Bodkin merchant plaintiffe against John Necke of  
Boston marriner late master of the barcq called the beginning deffend-

ant according to libell Complaint & Attachment bearing date the 6<sup>th</sup> Instant as therein & thereby reference thereto being had more Amply Appeareth After the Court had heard all the pleas & evidences produced by the plaintiffe and deffendant The Court doth orde<sup>r</sup> & decree that the deffendant pay the plaintiffe the ballance of the Account three pounds sixteen shillings penny halfe penny w<sup>th</sup> twenty pounds damage in money and Costs of Court three pounds eleven shillings and sixe pence in all twenty seven pounds seven shillings & seven pence halfe penny —

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1678

In the Case betweene m<sup>r</sup> w<sup>m</sup> Taylor m<sup>r</sup> Richard wharton & Cap<sup>t</sup> Peeter Hawto \* Attorney<sup>s</sup> to Cap<sup>t</sup>aine Barnard Lemoigne plaintiff & Cap<sup>t</sup> Tho. white m<sup>r</sup> Samuel Rauenscro[f]t † & their Complices deffend<sup>ts</sup> for disposing & sharing the Goods of a dutch prize or prizes named the Griffin and Nassaw stranded on the Island nantuckett and taken in the bay of metansis in Cuba by virtue of a Commission granted to the sajd Barnard Lamoigne by m[onsee<sup>r</sup>] Le [Seū] Ponsaw Goūno<sup>r</sup> for the french king at the Turtudoes and the Coasts of Domingo by wch Comission the sajd Cap<sup>t</sup> Le-moigne was obleidged to returne with his pri[z]es by him taken to Petit Guauare † his Commission Port This Court hauing heard the pleas & Allegations of both partjes doe find for the plaintiff and doe Adjudge that the sajd dutch prize Called the Griffyn w<sup>th</sup> all hir Goods and othe<sup>r</sup> money<sup>s</sup> or estate taken in the sajd shippes ought to haue binn Carrjed to the said Comission Port, and therefore doe decree that the sajd ships & Goods & money produced by the sale of any of the sajd goods and all othe<sup>r</sup> moneys & estate taken in the sajd ships be deliuered to the sajd Cap<sup>t</sup> La-moigne or his Attorney<sup>s</sup>; he or they giuing bond with sufficient sue<sup>t</sup>jes to value of fowe<sup>r</sup> thousand pounds that the sajd ship & goods shall w<sup>th</sup> all convenient speed (the dainger of the seas excepted) be sajled and brought to the sajd Port for the behooffe of the sajd le-moigne & Company taking w<sup>th</sup> him eithe<sup>r</sup> all if they be willing or so many of them as shall be sufficient to make their pleas for their shares & Interest as also Henry Jacob the Gunner of the sajd ship who hath petitioned this Court on behalfe of his owno's that he may there make his pleas And In Case the sajd Le-moigne or his Attorney<sup>s</sup> shall refuse or neglect to give in bond as aforesajd at or before the 15<sup>th</sup> of the nex<sup>t</sup> moneth then the sajd ship & goods shall be seized & remajne in such office's, as shall

\* "Otto" in the County Court Record.

† Or Guanare.

be appointed by the Goūnor & Council till furthe' orde' be taken and the deffend' to pay Costs of Court twenty five pounds twelue shillings & sixe pence = y<sup>e</sup> Court is dissolved

Att a Court of Admiralty or Cour<sup>t</sup> of Assistants held at Boston 2<sup>d</sup> January 1678

Henry Wheeler late master of the ship Recouery in behalfe of himself & owno's by his libell & complaint exhibbited to this Court bearing date 28<sup>th</sup> of Decembe' 1678, plaintiffe against m<sup>r</sup> Anthony Cheeckly and Ijdia his wife formerly the wife of the late Benjamin Gibbs & Adminstratrix to his estate deffendant In an Accon of the Case largely exprest in the aboue mentioned libell and is for not sattisfying him for the hire of sajd ship Recouery for eight months & one third of a moneth at thirty five pounds p<sup>r</sup> moneth wch amounts to two hundred ninety one pounds thirteene shillings & fower pence as also for chardges & disbursments and what one Recoured for his wages as in the sajd libell is exprest as by sajd wheelers oath on file e<sup>r</sup> = After the Attachment and

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1678

euidences in the Case produced were read & duely Considered of the Court declared they Adjudged and did order and decree for the plaintiffe after the deduction of the late Benjamin Gibbs Credit the summe of three hundred sixty two pounds fueteen shillings and five pence in money out of the estate of the late Benjamin Gibbs y<sup>e</sup> Costs of Court [five ?] pounds [12<sup>s</sup>] shillings || 6<sup>d</sup> || being included in y<sup>t</sup> sume aboue =

This Court was dissolved = E R S.

present  
Symon Bradstreet || Esq<sup>r</sup> ||  
Go<sup>o</sup>  
Sam Danfort<sup>h</sup> Esq<sup>r</sup> Dept Go<sup>o</sup>  
Daniel Gookin  
Daniel Dennison  
W<sup>m</sup> Hawthorne  
John Pinchon  
Edw<sup>d</sup> Tyng  
Joseph Dudley  
Nathan<sup>[11]</sup> Saltonstall  
Humphry Davy  
— — — —

Esq<sup>rs</sup>

• Att A Court of Admiralty or Court of Assistants held at Boston 15<sup>th</sup> may 1679 and Adjourned to 29<sup>th</sup> may 1679 \*

John ffrancis Boatswayne John Middleton Carpenter John Todd Peter fletcher & Richard Derry marriners of & lately belonging to the ship Endeavo' plaintiff<sup>s</sup> Against Samuel Smith Comande' of sajd ship endeavo' deffend' for Refusing to pay them their seuerall wages in mony to the said ffrancis

\* This and the three following records of admiralty courts were evidently entered by the Secretary out of their chronological order. They should have been entered after the record of the March term, 1678-9, which ends on page 98 of the original.



after the Rate of forty five shillings p month till y<sup>e</sup> s<sup>d</sup> ship arrived at Barbadoes & from that time forty eight shillings p moneth, to John Todd after the Rate of thirty three shillings p moneth & to Peter Fletcher & Richard Derry their wages after the Rate of thirty two shillings p moneth & John Middleton his wages after the Rate of three pounds tenn shillings p moneth as by the Portlidge bill may Appeare & m's Acknowledgment in Court After the libell Attachment & evidences in the Case produced were Read & duely Considered The Court orde's & determine for the said Boatswaine & seamen fuetu fowe' pounds ten shillings money as their full wages to be diuided in proportion amongst them at the Rates vpon which they were shipped as in s<sup>d</sup> libell & Complaint defaulting what they haue Received of the saj<sup>d</sup> m<sup>r</sup> & Costs of Court fower pounds nineteen shillings & two pence. —

Att A Court of Assistants or Admiralty held at  
Boston 31 may 1679

Phillip welch Thomas Smith & Peeter michael  
marriners of the Catch ollue branch by their libell &  
Complaint exhibbited to this Court plaintiff ag<sup>t</sup> Edward  
Barnes master of said Catch & said Catch deffendant for that the  
said Edward Barnes Refuseth to pay unto Peeter welch his wages  
for eleven months & a halfe se'vice at forty shillings p mo twenty  
three pounds money and to Thomas Smith for his wages for tenn  
mon<sup>th</sup> one half at twenty seven shillings p month fuetene \* pounds  
three shillings & sixe penc and to Peete<sup>r</sup> mitchell for  
his wages fowe'teen pounds fowe'teen shilling<sup>s</sup> in all  
fuetu one pounds seventeen shillings & sixpenc mony  
After the libell & Complaint & evidences were Read & duly considered  
The Court Judged it meet to declare and decree that the said Edward  
Barnes y<sup>e</sup> master & said Catch pay vnto the aboue said Plaintiffs the  
said some of fuetu two pounds seven shillings † & sixe pence mony &  
Costs of Court three pounds eight shilling<sup>s</sup> deducting what they haue  
Received — ‡ In Ans<sup>r</sup> to the peticon of Elizabeth Lisleys The Court on  
pervsall & consideration of the evidences in the Case  
doe grant the peticone's request and doe declare hir to  
be freed from hir Couenant of marriage made w<sup>th</sup> y<sup>e</sup>  
aboue named Robert Lisleys § : — :

present as aboue =  
Go<sup>d</sup>  
Dep<sup>t</sup> Go<sup>d</sup>nor e<sup>r</sup>  
as,

welch e<sup>r</sup> ag<sup>t</sup>  
Catch ollue Branch

Elizabeth Lisleys<sup>r</sup>  
diuorce

\* Fourteen ?

† Fifty-one pounds seventeen shillings ?

‡ What follows here was probably inserted at a later date.

§ His name does not appear before in the record.

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1679

present  
Symon Bradstreet Esq<sup>r</sup>  
Go<sup>o</sup>  
Thom: Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>o</sup>

Daniel Gookin  
W<sup>m</sup> Hauthorn  
J<sup>n</sup> Pyncheon  
Edw<sup>d</sup> Tyng  
Joseph Dudley  
Humphry Dany  
— — — —

Att A Court of Assistants or Court of Admiralty sitting in Boston the 14<sup>th</sup> of June 1679

Samuel Smith Comander of the ship endeavour plaintiff in behalfe of himself & owne's ag<sup>t</sup> John Francis Jn<sup>o</sup> midleton John Todd *et* according to his libell, Attachm<sup>t</sup> bearing date 12 June 79 After the Courts pervsall of the sajd libell & evidences in the Case produced The Court Adjudged for the plaintiff & doe Orde<sup>r</sup> & decree that the deffendant<sup>s</sup> pay the plaintiffs fowe<sup>r</sup> pounds damage in mony & three pounds fueteen shilling & fowe<sup>r</sup> pence as Costs —

The Deposition of Thomas Sexton now master of the ship Elizabeth being in London in the month of february last past did receive A ve<sup>r</sup>ball direction or orde<sup>r</sup> from old m<sup>r</sup> Elkin to keepe a bayle of Goods or deliuer it vnto m<sup>r</sup> John wayte In Case his son Nathaniel Elkin were dead the which Bajle of Goods doth belong vnto m<sup>r</sup> Edward Bass merchant in London & the Cause of old m<sup>r</sup> Elkin his giving such orde<sup>r</sup> vnto me was because he himself as he told me stood bound vnto m<sup>r</sup> Basse that his sonn Nathaniel Elkin should make him the sajd Bass Returnes for the goods the Bayle is marked NE no 7

deposed in Court 14 June 1679. *p* Edw. Rawson secre[ty]

Att A Court of Assistants or Admiralty held at Boston 25<sup>th</sup> octobe<sup>r</sup> 1679

willjam marston mate John Anay Boatswajne nicholas Ginnop Gunner Edward North Hugh may Jacob ketore Henry Gabricke George wood michael Caswell Thomas mande<sup>r</sup> & John Perrin marriners belonging to the ship Apollow<sup>\*\*\*</sup> & Henry Hollaway m<sup>r</sup> of s<sup>d</sup> ship defend<sup>t</sup> for that he sajd Hollaway m<sup>r</sup> Refuseth to pay the aboue mentioned w<sup>m</sup> marston mate Jn<sup>o</sup> Anay Boat swayne nicholas Gunnop Gunner w<sup>th</sup> y<sup>e</sup> s<sup>d</sup> marri-ne's their seueral wages for their sevice performed in s<sup>d</sup> ship for seven mon<sup>th</sup>s & eight dayes from Jamajca to the Lagoone of Tr[o<sup>a</sup>]† in y<sup>e</sup> bay of Campeacha & thenc to Boston as p portlidg Bill *et* as p Attachm<sup>t</sup>

Henry Holloway appeared in Court & owned y<sup>t</sup> y<sup>e</sup> se<sup>o</sup>ll sums mentioned \*\* in the libell was & Is Justly due to y<sup>e</sup> se<sup>o</sup>ll seamen to be p<sup>t</sup> y<sup>m</sup> in mony here only had no<sup>t</sup> effects in his hands to discharge them \*\*

\* These marks are in the original.

† Terminos ?

dated in Boston 21<sup>th</sup> octobe<sup>r</sup> 1679 may Appeare \* \* after the Court had heard the pleas of plaintiff & deffend<sup>t</sup> they did determine order & decree that the sajd ship Apollow & sajd master || thereof || Henry Holloway should pay vnto the plaintiffs. i: e. to w<sup>m</sup> marston mate for his wages twenty one pounds sixteen shillings being 3<sup>li</sup> p<sup>er</sup> mon<sup>th</sup> to John Annay twenty one pounds sixteen shillings to Nicholas Gunnop Gunner after 40<sup>o</sup> p<sup>er</sup> mo. fowe<sup>r</sup>teen pounds twelue shilling to Hugh may after 39<sup>o</sup> p<sup>er</sup> mo. fowe<sup>r</sup>teene pounds fowe<sup>r</sup> shillings to Jacob Katore fowertene pounds fowe<sup>r</sup> shillings to Henry Gabrick after thirty fue shilling p<sup>er</sup> mo. twelue pounds fueteene shillings & six pence to Georg wood y<sup>e</sup> like twelue pounds fueteen shilling & sixe pence to michael Caswell the like twelue pounds fueteen shillings & six pence To Thomas mander at 29<sup>o</sup> p<sup>er</sup> mo. tenn pounds eleven shillings and six pence & to Georg Perrin after 30<sup>o</sup> p<sup>er</sup> mo. tenn pounds nineteen shillings each mans time being 7 mo & 8 dayes in all, one hundred sixty one pounds on[e] shilling \* all in money w<sup>th</sup> costs of Court fowe<sup>r</sup> pounds fowe<sup>r</sup> shillings & sixe pence mony.

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1678

Att A Court of Assistants held at Boston 4<sup>th</sup> march 1678.

Samuel Apleton Jun<sup>r</sup> plaintiff in an Acton of Attaint from the last Court of Assistants ag<sup>t</sup> the Jury there whereof m<sup>r</sup> Joseph Beamis was foreman deffendts the plaintiffe and deffendant Appeared pleaded to the Case both lette's of Attorney was produced & owned in Court after all the pleas and evidences in the Case produced were heard Read & Comitted to the Jury the Jury brought in their virdict they found for the plaintiffe Reuerision of the forme<sup>r</sup> Judgment & Costs of Courts sixe pounds sixteen shillings —

Mary flegg plaintiffe against Thomas Bake<sup>r</sup> deffend<sup>t</sup> In an action of Appeale from the Judgment of the last County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & eui-

20<sup>li</sup>  
mony

present  
J<sup>ns</sup> Leueret Esq<sup>r</sup> Go<sup>vt</sup>  
Symon Bradstreet Esq<sup>r</sup>  
dep Go.

Daniel Gookin  
Daniel Dennison  
Tho: Danforth  
Edw Tyng  
Joseph Dudley  
Nath<sup>l</sup> Saltonstall

} Esq<sup>rs</sup>

— — —  
Grand Jurymen  
Returnd & Sworn  
were

— — —  
m<sup>r</sup> w<sup>m</sup> Parkes  
Edw<sup>d</sup> Drincker  
J<sup>ns</sup> Harrison seft  
Francis Hudson  
moses Payne  
Tho Tollman  
Thomas Trott  
w<sup>m</sup> Gary  
Randall Nicholls  
Aron Ludkin  
Samuel Andrewes  
Rich<sup>d</sup> Dana  
Tho flegg

\* This amount indicates that Edward North's share (fourteen pounds twelve shillings ?) was omitted by the Secretary in making up his record.

w<sup>m</sup> Goddard  
 — — —  
 Jury men Returned  
 for Appeales life  
 limbe & sworne  
 were ~~the~~ Jury.

|| for ye Attaint ||

— — —  
 m<sup>r</sup> J<sup>n</sup> Long.  
 w<sup>m</sup> whitwell  
 w<sup>m</sup> Hobby  
 Jervas Ballard  
 Jacob Hewins  
 Henry Leadbetter  
 James white  
 Obadiah Hawes  
 Tho. Edwards  
 Tho walker  
 Tho Bligh se<sup>n</sup>  
 J<sup>n</sup> waite  
 J<sup>n</sup> may  
 Joseph Griggs  
 J<sup>n</sup> Ruggles  
 Samuel Craft  
 Nath Rand  
 J<sup>n</sup> Trumball  
 w<sup>m</sup> Agur  
 ste<sup>p</sup>hen Francis  
 Francis Boman  
 J<sup>n</sup> Benjamin  
 J<sup>n</sup> Trajue  
 J<sup>n</sup> Neulsson  
 — — —

dences in the Case produced were read Comitted to the Jury and remajne on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & costs of Courts. [32<sup>r</sup>.]

J<sup>n</sup> Pickard & Ezekiel Northend plaintiff<sup>s</sup> in an action of Appeale ag<sup>t</sup> W<sup>m</sup>\* Longfellow deffend<sup>t</sup> from the Judgment of the last County Court in Salem † = After the Attachment Courts Judgment Reasons of Appeale and evidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict i: e a speciall virdict origine & ‡ the Court finds for the deffendant Confirmation of the Judgment of the bench at Salem Court & Costs of Courts fuety nine shillings & eight pence

The Leauer se<sup>n</sup> plaintiff in an action of Appeale ag<sup>t</sup> Phillip Nelson deffend<sup>t</sup> from the Judgment of the last County Court at Ipswich Attorneys in y<sup>r</sup> Accon Appearing & shewing their powe<sup>r</sup> the plaintiff declar- ing that the Accon was Agreed w<sup>th</sup> consent of y<sup>r</sup> Court w<sup>th</sup> drew his Accon =

James Smith plaintiff agt michael Bouden deffendant in an action of Appeale from the Judgment of the County Court at Salem After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant the Confirmation of the forme<sup>r</sup> Judgment at Salem Court i e thirty nine pounds two shillings & Costs of Courts forty fowe<sup>r</sup> shillings & fower pence =

James Smith plaintiffe against michael Bouden deffendant in an action of Appeale from the Judgment of the County Court last in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are

\* Written over "J<sup>n</sup>."

† Written over "Boston."

‡ For details of this case see Court Files Suffolk No. 1792, where is the original special verdict at the County Court, and also a copy of the record of the Court of Assistants, attested by the Secretary, more full and differing somewhat from this.

on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend' Confirmation of the forme' Judgment  
[&] Costs of Courts thirty two shillings & fowe' pence =

Cap' James Olliuer & Tho: Dexter plaintiffs against the Towne of lynn deffend' in an action of Appeale from the Judgment of the last County Court at Salem. After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the defendant Confirmation of the former Judgm' & Costs of Courts five pounds fowe'teen shillings & two pence =

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1678

Richard Acco'man plaintiffe against Thomas valentine deffendant in an Acton of Appeale from the Judgment of the last County Court at Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict & found for the deffendant Confirmation of the forme' Judgment, Costs of Courts thirty two shillings

Exec Issued  
out

Thomas Clarke plaintiffe against John Allin deffendant in an action of Appeale from the Judgmen' of the last County Court at Hampton. After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgm' & Costs of Courts =  
three pounds twelue shillings =

exec Issued  
out 8 1 78

Joseph knight plaintiff agt Sam: Peacocke deffend' in an action of Appeale from the Judgm' of the Commissione's Court in Boston After the Attachment Courts Judgment Reasons of Appeale and evidences in the Case

persons Returnd to  
serve on the 1<sup>st</sup> Jury  
of trials for Ap-  
peales for life limbe  
e' sworne were =

— — — —  
m<sup>r</sup> John Neulson  
James white  
Henry Leadbetter  
Tho Langhorne  
Jn<sup>e</sup> wayte  
Jn<sup>e</sup> Rugles  
Samuel Craft  
Joseph Ryall  
Nathaniel Rand

w<sup>e</sup> Agur  
Francis Boman  
Jn<sup>e</sup> Trajue

persons Returnd to  
serve on the 2<sup>d</sup> Jury  
of tryall for Appeale  
life limbe e'  
sworne =

— — — —  
m<sup>r</sup> Jn<sup>e</sup> Long  
W<sup>e</sup> Hobby  
Jarvis Ballard  
Jacob Hewin  
Tho Bligh  
Jn<sup>e</sup> man  
Daniell Turell Jun<sup>r</sup>  
obadiah Hawes  
Joseph Griggs  
stephen Francis  
Jn<sup>e</sup> Benjamin  
Symon Coolidge  
— — — —

exec Issued out 7  
may 79 for 8: 12: 6

produced were read Comitted to the Jury and are re-  
mayning on file w<sup>th</sup> the Reccords of this Court the  
Jury brought in their virdict they found for the de-  
ffendant Confirmation of the former Judgment & Costs of Courts  
twenty six shilling<sup>s</sup> & six pence

Theode<sup>r</sup> Atkinson plaintiffe against Abraham Pe<sup>r</sup>kins deffendant  
in an action of Appeale from the Judgment of the County Court at  
Ipswich = After the Attachment Courts Judgment  
y<sup>e</sup> bill  
12<sup>th</sup> Reasons of Appeale & evidences in the Case pro-  
duced were read Comitted to the Jury & are Remayn-  
ing on file w<sup>th</sup> the Reccords of this Court the Jury  
exec Issued  
out brought in their virdict they found for the deffend-  
ant Confirmation of the former Judgm<sup>t</sup> & Costs of Courts =

Theode<sup>r</sup> Atkinson plaintiff against Abraham Pe<sup>r</sup>kins deffend<sup>t</sup> in  
an ac<sup>o</sup>n of Appeale from the Judgment of the  
Atkinson ag<sup>t</sup>  
Pe<sup>r</sup>kins County Court at Salem last after the Attachment  
Courts Judgment Reasons of Appeale & evidences in  
the Case presented were Read Comitted to the Jury & are on file  
w<sup>th</sup> the Reccords of this Court the Jury brought in  
exec Issued out their virdict they found for the deffend<sup>t</sup> Confirmation  
of the forme<sup>r</sup> Judgment & Costs of Courts three pounds seven shil-  
lings & fowe<sup>r</sup> pence =

Roby & boulter ag<sup>t</sup>  
Evans Henry Roby & Nathaniel Boulter plaintiff ag<sup>t</sup>  
Robe<sup>t</sup> Evans || deft || in an Action of Appeale from  
the Judgment of the County Court last at Hampton after the Attach-  
ment Courts Judgment Reasons of Appeale & eui-  
dences in the Case produced were Read Comitted to  
executi<sup>o</sup>: Issued out the Jury & are on file w<sup>th</sup> the reccords of this Court  
11 <sup>1</sup>/<sub>mo</sub> 78. the Jury brought in their virdict they found for the  
plaintiff Reuersion of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts

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1678

Nathaniel ~~Moore~~ || Boulter || & w<sup>m</sup> moore plaintiff ag<sup>t</sup> Humphry  
wilson defend<sup>t</sup> in an Action of Appeale from the Judgment of the last  
County Court at Hampton After the Attachment  
Boulter ag<sup>t</sup> wilson Courts Judgm<sup>t</sup> & Reasons of Appeale w<sup>th</sup> y<sup>e</sup> evidences  
in the Case produced were read Comitted to the Jury and are on file

w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts ffuety nine shillings & tenn pence =

m<sup>r</sup> Jonathan Tyng plaintiff ag<sup>t</sup> nicholas chadwell deffendant in an action of Appeale from the Judgment of the County Court at Salem After the Attachm<sup>t</sup> Courts Judgment Tyng ag<sup>t</sup> Chadwell  
Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff<sup>r</sup> reuision of the forme<sup>r</sup> Judgment & Costs of Court thirty \* five exec Issued out  
shillings

Nathaniel Jacob plaintiff ag<sup>t</sup> Ephraim & Isack ffellowes c<sup>r</sup> deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court at Salem After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts = three pounds fueteen shillings & 4<sup>d</sup> = Jacob ag<sup>t</sup> ffellowes

m<sup>r</sup> Hezekiah Vshe<sup>r</sup> plaintiff against John Vshe<sup>r</sup> deffend<sup>t</sup> in an Accon of Appeale from the Judgmen<sup>t</sup> of the County Court in Boston in octobe<sup>r</sup> last After the Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the defend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts the plaintiff<sup>r</sup> desired his bond might be chanceried the Court on Consideration of the pleas on both sides chanceried the bond sued to fuety pounds mony & Costs ffuety two shillings & 6<sup>d</sup>. Vsher ag<sup>t</sup> Vsher

Jn<sup>o</sup> man Plaintiffe ag<sup>t</sup> major Thomas Savage deffend<sup>t</sup> in an action of Appeale ffrom the Judgmen<sup>t</sup> of the Comissions<sup>e</sup>s Court in Boston The Accon was Called the Reasons man Ag<sup>t</sup> Savage  
not being Given in season i e Daylight The Court declared the Accon ought no<sup>t</sup> to proceed & y<sup>e</sup> Court Granted the deffend<sup>t</sup> his Costs

Abell Porter plaintiff ag<sup>t</sup> Edw<sup>d</sup> Cater deffend<sup>t</sup> in an Accon of

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\* Written over the word "twenty."

Appeale ffrom the Judgment of the Court of Associates at Portsmouth: this Accon was also Called no Reasons Returned so the Accon fell & Costs granted to the deffend<sup>t</sup> & the bond declar'd to be forfeited =

Bethyah Gatchel was presented & Indicted by the name of Bethiah Gatchell for no<sup>t</sup> hauing the feare of God before hir eyes & being instigated by the diuill Comitted Adultery Contrary<sup>^</sup> the peace of our Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction to wch she pleaded no<sup>t</sup> Guilty put himself on tryall by God & the Country ~~they~~ the Jury finds hir not Guilty according to Indictment the Court enjoyned hir to Appeare before the nex<sup>t</sup> County Court at Ipswich to Ans<sup>r</sup> for hir notorious lying & discharging fees of Cour<sup>t</sup> & Costs of prosecution to be dischargd [Skerry] \* Costs 21<sup>s</sup> allowed

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1678

Ellino<sup>r</sup> may being Indicted & by the virdict of the Jury of tryalls legally Convicted of whoredome & of hauing a Bastard child in hir husbands absence is sentenced to be tyed to a Carts Tayle & whipt vpon hir naked body from the Prisson to the place of hir aboad not exceeding thirty nine stripes well & seuerely layd on, and also to depart out of the Toune of Boston w<sup>th</sup> in tenn dayes nex<sup>t</sup> Comeing after hir Correction and no<sup>t</sup> to returne againe w<sup>th</sup>out licence from the Go<sup>u</sup>no<sup>r</sup> or two magistrates vnde<sup>r</sup> his or their hands in witting and in Case after that time the said Elljnor may shall be found in Boston or any of the precincts thereof Contrary to this Order she shall be App'hended by the Constable on notice given by any of the Inhabitants of the said Toune & Comitted to Bridewell there to remajne vntill the Councill or Court of Assistants shall Give furthe<sup>r</sup> orde<sup>r</sup> Concerning her: she discharging fees of Court & Costs of witnesses to be dischargd =

Ellino<sup>r</sup> may<sup>r</sup>  
Sentenc

In Ans<sup>r</sup> to the peti<sup>ti</sup>on of Rebeckah Cooly<sup>a</sup> as to a divorce The Court Judgeth it meet to declare that on pervsal of the evidences ag<sup>t</sup> Richard Cooly that the said Rebeckah is free and set at libe<sup>ty</sup> frō hir marriage Couenant w<sup>th</sup> hir said Husband Richard Cooly =

Boston 19 mo<sup>ch</sup> 1678<sup>3</sup>

vnde<sup>r</sup> a true Copie of the Judgment of this Court in the Case betweene m<sup>r</sup> Hezekiah vsher plaintiff ag<sup>t</sup>

\* Henry Skerry of Salem, marshal ?



m<sup>r</sup> Jn<sup>o</sup> vshe<sup>r</sup> as on y<sup>e</sup> othe<sup>r</sup> side of this page is word for word stands vnder writt & endors<sup>t</sup> as followeth Received the sune of fiuety one pounds nineteen shillings & eight pence of m<sup>r</sup> Hezekiah Vsher Junio<sup>r</sup> in mony by virtue of the w<sup>th</sup>in written or aboue Judgment of a Court of Assistants as aboue expressed — 50: 19 8\* wittnes maudit Engis (endors<sup>t</sup> p John Vsher — march 20 7<sup>g</sup>

Maudet Engis of Boston Aged about seventy yeares being deposed before vs doth say that he sawe m<sup>r</sup> Hezekiah vsher on the 19<sup>th</sup> day of this Instant pay his brother m<sup>r</sup> John Vsher of Boston the sune mentioned in the Receipt on the back side vnder the Copy of the Judgment of the Court of Assistants and that he saw m<sup>r</sup> John Vsher to signe and deliuer the sajd Receipt and did put his hand as a witnes thereof sworne by maudet Engis the day & yeare aboue written before vs

Daniel Gookin  
Edward Tyng

Entred & Recorded in perpetuam  
Rei memoriam At Request of the  
sajd m<sup>r</sup> Hezekiah Vsher the 3<sup>d</sup> day  
of July 1679

p Edw<sup>d</sup> Rawson secre<sup>t</sup>

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1678

Att A Court of Assistants held at Boston  
the 2<sup>d</sup> of Septembe<sup>r</sup> 1679

Trystram Coffin Atturney to Richard  
Lowle & Cap<sup>t</sup> w<sup>m</sup> Gerrish plaintiff<sup>s</sup> ag<sup>t</sup> Benjamin  
Lowle deffendant in an Acton of Appeale  
from the Judgm<sup>t</sup> of the County Court at  
Ipswich After the Attachmen<sup>t</sup> Courts Judgment Rea-  
sons of Appeale & evidences in the Case produced  
were read Comitted to the Jury & are on file w<sup>th</sup> the  
Reccords of this Court the Jury brought in their vir-  
dict they found for the plaintiff<sup>s</sup> reuersion of the  
forme<sup>r</sup> Judgment & Costs of Courts sixe pounds nine-  
ten shillings & eight pence  
1<sup>st</sup> Jry

present	
Symon Bradstreet Esq Go <sup>o</sup>	
Tho Danforth Esq <sup>r</sup> dep <sup>t</sup> Go.	
Daniel Gookin	
Daniel Dennison	} Esq <sup>r</sup>
W <sup>m</sup> Hathorn	
Edward Tyng	
Joseph Dudley	
Nathaniel Saltonstall	
Humphry Davy	
— — — —	
persons Returnd to serve on y <sup>e</sup> Grand Jury sworne were	
— — — —	
Cap <sup>t</sup> Daniel Hench- man	
John Blake	
Rich <sup>d</sup> wooddy	
Jn <sup>o</sup> Conney	
John Scarlett	

\* The amounts given here in the record do not agree with each other or with the amount stated in the record of the judgment. See above p. 137 for the judgment referred to.

Tho Tyleston  
 Tho Dauenport  
 W<sup>m</sup> Clough  
 J<sup>n</sup> Pentecost  
 Jonas Clarke  
 W<sup>m</sup> Manning  
 W<sup>m</sup> Bond.  
 — — — —  
 persons Returned  
 to serve on y<sup>e</sup>  
 1<sup>st</sup> Jury of tryalls  
 for Appeales life  
 lymbe & sworn  
 were  
 — — — —  
 m<sup>r</sup> Anthony check-  
 ley  
 Thomas Edwards  
 Bozoone Allen  
 Thomas Jenner  
 Jacob Green Jun<sup>r</sup>  
 Ezra Clap:  
 Timothy Tyleston  
 Samuel Andrewes  
 Noah Wisewalle  
 John Bisco  
 John Morse  
 Daniel Brewer  
 — — — —

Stephen Butler plaintiffe against willjam Hol-  
 lowell Jun<sup>r</sup> Benja Hollowell & Edward Ashley de-  
 fend<sup>t</sup> in an action of Appeale from the Judgment  
 of the last County Court at Boston After the Attach-  
 ment Court<sup>s</sup> Judgment Reasons of Appeale & eui-  
 dences in the Case produced were read Comitted to  
 the Jury & are on file w<sup>th</sup> the Reccords of this Court  
 the Jury brought in their virdict they found for the  
 deffendants a Confirmation of the forme<sup>r</sup> Judgment  
~~In part that~~ \* In part that is to say the moyety of the  
 houses & lands which belonged to the estate of Ben-  
 jamin Ward according to Inventory or fowe<sup>r</sup> hundred  
 pounds in money & Costs of Courts  
 ffuety sixe shillings & tenn pence —

2<sup>d</sup> Ju.

Abraham Broune of [Salis]bury plaintiff against  
 Samuel ffellowes deffendan<sup>t</sup> in an Action of Appeale  
 from the Judgment of the last County Court at  
 Salisbury After the Attachment Courts Judgment  
 reasons of Appeale and evidences in the Case pro-  
 duced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords  
 of this Cour<sup>t</sup> the Jury brought in their virdict they found for the  
 plaintiff Reuersion of the former Judgment & Costs of  
 Courts three pounds fowe<sup>r</sup> shillings & fower pence —

2<sup>d</sup> Ju.

willjam Griggs plaintiff ag<sup>t</sup> peeter chocke de-  
 fend<sup>t</sup> in an Accoon of Appeale from the Judgment of  
 the ~~Comissione's~~ || County || Court in Boston: After the Attachment  
 Courts Judgment Reasons of Appeale & evidences in the Case pro-  
 duced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords  
 of this Court the Jury brought in their virdict they found for the  
 deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts —  
 twenty shilling<sup>s</sup> & sixe pence

1<sup>st</sup> Ju

Stephen Bussell plaintiff Against samuel Ballat deffendan<sup>t</sup> in an  
 action of Appeale from the Judgment of the County Court at charls-  
 Toune After the Attachment Courts Judgment Reasons of Appeale &  
 evidences in the Case produced were Comitted to the Jury & are on  
 file w<sup>th</sup> the Reccords of this Court the Jury brought in  
 their virdict they found for the plaintiff reue'sion of

2<sup>d</sup> Jur

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\* Written over the words "& Costs of Courts" and then both cancelled.

the forme<sup>r</sup> Judgment & Costs of Courts forty three shillings & two pence :

Peeter chocke plaintiff ag<sup>t</sup> Nathaniel Peirce deffendant in an action of Appeale from the Judgment of the Comissione's Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts sixteen shillings & tenn pence

[100]

1679

George Purkis Attorney to Laurence Baske<sup>vill</sup> plaintiff against the Goods or estate lately belonging unto John windor merchant in the hands of John Palmer who marrjed the relict & Admnstratrix of y<sup>t</sup> estate & the Goods or estate belonging to the late Robert Gibbs as also the Goods of James whetcomb deffend<sup>u</sup> in an Ac<sup>on</sup> of Appeale from the Judgment of the County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the deffendants Costs of Courts thirty five shillings & tenn pence.

1<sup>st</sup> Ju

persons Returned to  
serve on y<sup>e</sup> 2<sup>d</sup> Jury  
for trials of Ap-  
peales life ljmbe  
C<sup>r</sup> sworn  
— — — —

Mr Edward Willis  
Robert Howard  
Thomas moore  
Elijas Row  
Elljoe Wood  
Rich<sup>d</sup> Norcross  
Thomas streight  
w<sup>m</sup> Gary  
John Gore  
Thomas Longhorne  
w<sup>m</sup> Coleman  
James Hubbard  
— — — —

Henry Allin & Company plaintiff ag<sup>t</sup> w<sup>m</sup> Tomlin deffend<sup>t</sup> in an Ac<sup>on</sup> of Appeale from the Judgment of the County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the reccords of this Court the Jury brought in their virdict they found for the deffendant Costs of Courts eighteen shillings & fowe<sup>r</sup> pence /

1<sup>st</sup> Jury

John Veren plaintiff against John ffros<sup>t</sup> de-  
ffendant in an action of Appeale from the Judgment  
of the Comissione's Cour<sup>t</sup> in Boston After the Attachment Courts  
Judgment reasons of Appeale & evidences in the Case produced were  
read Comited to the Jury & are on file w<sup>th</sup> the Reccords of this Court  
the Jury brought in their virdict they found for the deffend<sup>t</sup> thirty

veren ag<sup>t</sup> frost

two yds of noyl'es Canvas at 18<sup>d</sup> p<sup>r</sup> yrd or forty eight shilling and  
 sixe pence money & Costs of Courts twenty two shil-  
 2 Jur. lings & 4<sup>d</sup>.

Thomas Woodbridge Attorney & sue'ty to Cap<sup>t</sup> Paul white plain-  
 tiff ag<sup>t</sup> Jotham\* Hendrick deffend<sup>t</sup> in an Accon of Appeale  
 woodbridge ag<sup>t</sup> from the Judgment of the County Court at Salisbury.  
 Hendrick  
 exec Issued out After the Attachment Courts Judgm<sup>t</sup> Reasons of  
 26 Apr 63 Appeale & evidences in the Case produced were read  
 Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the  
 Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation  
 of the former Judgment & Costs of Courts thirty shillings —

Thomas woodbridge Attorney & suerty to Capt  
 2 Jury Paul white plaintiff against Josiah Heath deffendant  
 Idem ag<sup>t</sup> Heath in an Accon of Appeale from the Judgment of the  
 County Cour<sup>t</sup> at Salisbury After the Attachment  
 Courts Judgment Reasons of Appeale & Evidences in the Case pro-  
 duced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords  
 of this Court the Jury brought in their virdict they  
 heath App<sup>d</sup> no<sup>t</sup> e<sup>r</sup> found for the deffendant Confirmation of the former  
 Judgment & Costs of Courts —

Samuel Legg plaintiff against James fflood de-  
 1st Jur fendan<sup>t</sup> in an action of Appeale from the Judgment  
 Legg ag<sup>t</sup> flood of the last County Court at Boston After the Attach-  
 ment Courts Judgment Reasons of Appeale & eui-  
 dences in the Case produced were read Comitted to the Jury and are on  
 file w<sup>th</sup> the Reccords of this Cour<sup>t</sup> the Jury brought in their virdict  
 they found for the plaintiff three pounds nine shillings & nine pence  
 damage in mony & Costs of Courts.

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1679

Joseph Rock plaintiff ag<sup>t</sup> Sarah ffrancks widow  
 Rock ag<sup>t</sup> ffrancks deffend<sup>t</sup> in an Accon of Appeale from the Judgment  
 of the County Court in Boston After the Attachment Courts Judgmt  
 Reasons of Appeale & evidences in the Case produced were Read Com-  
 itted to the Jury and are Remayning on file w<sup>th</sup> the Reccords of this  
 Court the Jury brought in their virdict <sup>†</sup> to whome it only belonged

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\* Written over "Abraham."

† There is evidently an omission here in the record of the word "magistrates."

hauling on s<sup>d</sup> Rocks Request chanceried his bond declared they Confirmed the Judgment of the County Court w<sup>th</sup> Costs of Courts — thirty seven shillings & eight pence

Jn<sup>o</sup> Pickard & Ezekiel northen as they are Lott layers e<sup>r</sup> plaintiff ag<sup>t</sup> willjam Longfellow deffendant in an Acton of Appeale from the Judgment of the County Court at Salem After the Attachment Courts Judgmen<sup>t</sup> Reason<sup>s</sup> of Appeale & Euidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they ffound for the plaintiff Reuision of the former Judgment & Costs of Courts fue pounds twelue shillings & six pence

Pickard e<sup>r</sup> ag<sup>t</sup> Longfellow 1 Action as to division of lands

2 Jur

Jn<sup>o</sup> Pickard & ezekiel northend plaintiff ag<sup>t</sup> willjam Longfellow deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court at Salem: After the Attachment Courts Judgment Reasons of Appeale & euidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts three pounds fourteen shillings & two pence—

Pickard ag<sup>t</sup> Longfellow  
— — —  
2d Jur

Samuel Pepen plaintiff in an action of Appeale ag<sup>t</sup> Benjamin marshall deffend<sup>t</sup> from the Judgment of the County Court at Salem — After the Attachmt Courts Judgment Reasons of Appeale & euidences in the Case produced were Read Comitted to the Jury and are Remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiffe reuersion of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts three pounds sixteen shillings and sixe pence —

1<sup>st</sup> Ju :

Pepen ag<sup>t</sup> marshall

M<sup>s</sup> Elisabeth Dunster & Jonathan Dunster plaintiff ag<sup>t</sup> Ebenezar Prout deffendant in an Action of Appeale from the Judgment of the County Court at Charles Towne: After the Attachment Courts Judgment Reasons of Appeale & euidences in the Case produced were Read Comitted to y<sup>e</sup> 11 of y<sup>e</sup> Jury by consent of both partjes & are on file the Jury brought in their virdict they found for y<sup>e</sup> deffendant Confirmation of y<sup>e</sup> forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts thirty two shillings & two pence —

2 Jury

Dunster ag<sup>t</sup> Prout

exec Issued out

Jn<sup>o</sup> wisewall plaintiff ag<sup>t</sup> Jn<sup>o</sup> Keene deffend<sup>t</sup> in an Accon of  
Appeale ffrom the Judgment of the County Court at Boston After the  
Attachment Courts Judgment & Reasons of Appeale  
wisewall ag<sup>t</sup> keene & evidences in the Case produced were read Comitted  
to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury  
brought in their virdict they found for the plaintiff reuersion of the  
former Judgment & Costs of Court the magist<sup>s</sup> sen<sup>t</sup> y<sup>e</sup> Jury out once  
& Againe on this virdict but they<sup>^</sup>no<sup>t</sup> Altering — they Refferd y<sup>e</sup> Re-  
ception till 20<sup>th</sup> octobe<sup>r</sup>

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Jn<sup>o</sup> warner plaintiff ag<sup>t</sup> Benja: ffrankljn deffend<sup>t</sup> in an Accon of  
Appeale from the Judgment of the County Court at  
Boston After the Attachment Courts Judgment Rea-  
sons of Appeale & evidences in the Case produced  
were read Comitted to the Jury & are on file w<sup>th</sup> the  
Reccords of this Court the Jury brought in their vir-  
dict they found for the plaintiff twenty pounds nine-  
teene shilling damage in mony & Costs of Court:

Jn<sup>o</sup>. Warner ag<sup>t</sup>  
Benja: franklin

Execution of y<sup>e</sup>  
Judgm<sup>t</sup> was sus-  
pended 20 8ber 1679  
vide other side

In Ans<sup>r</sup> to the petition of mary Bishop for a divorce from hir  
husband Job Bishop he hauing absented himself from  
hir seventeen yeares and since marrjed to anothe<sup>r</sup>  
woman in the Barbadoes & liues w<sup>th</sup> hir as his wife as  
Appeares by testimony the Court Grants hir request a divorce from  
Job Bishop hir late husband =

mary Bishop<sup>s</sup>  
diuors

Morris Conway being Comitted to prison for Inticeing others to  
steale a boate & turn pyrate c<sup>r</sup> After his examination  
w<sup>th</sup> the evidenc was Read to him being at the Barr  
the Court = sentenc<sup>t</sup> him to be whip<sup>t</sup> w<sup>th</sup> fueteen stripes paying  
chardges of prosecution & ffees standing Comitted till the sentenc be  
performed =

Conway<sup>s</sup> sentenc

George shepardson being alike Comitted for Inticing & perswad-  
ing morrice Conway to steale a boate & Run away  
w<sup>th</sup> it after the Court had Considered his Case &  
evidences Alike sentenc<sup>t</sup> him to be whip<sup>t</sup> w<sup>th</sup> fueteen  
stripes paying charg of prosecution & ffees standing Comitted till the  
sentenc be performed

Shephardsons  
sentenc

Richard chamberlayne bein[g] in like manner Accused & Comitted the Court Considering his Case presented he was Admonisht & on his paying ffees was dischargd =

Chamberlain Admō  
nis & ffees =

Sara Bradbrooke being Comitted for stealing a peec of silke ffarrendine Coulord found w<sup>th</sup> hir seuerall yds of blacke fowe' penny Ribboning fowe' skeynes of silke from m' Hezekiah vsher as also a smale brass kete & two porringers the Court sentenc<sup>t</sup> hir to pay vnto m' Hezekiah vsher seven pounds as full payment for treble damag<sup>es</sup> as also to pay unto m' Samuell Shrimpton twenty shillings in full for treble Damages & y<sup>t</sup> yow be whipt w<sup>th</sup> ~~twenty~~ || tenn || stripes paying ffees of Court standing Comitted till this sentenc be performed =

Sarah Bradbrooks  
sentence

Sarah Bradbrook in Court Accused Thomas Compton then In Court m' Hezekiah vshe's se'vant for bring[ing] the said ffarrendene silke & Ribboning to hir about 3 or 4 nights after the late fier in Boston & deposed the same on hir solemn oath on wch sd Compton was Comitted. he denjed the fact tho some of y<sup>e</sup> same Ribboning was on hir shirt necke & hands & Joseph Pears Coming in to y<sup>e</sup> Cour<sup>t</sup> & declaring he had seene this quantity of silk & Coulor y<sup>e</sup> same in sd Compton<sup>s</sup> hand some short time after the fier. Compton was sent for & said Pears deposed to y<sup>e</sup> trueth of his Affirmation The Court declar<sup>d</sup> that he was Con- victed of stealing y<sup>e</sup> sd Farrendene & silke & sentenc<sup>t</sup> him to pay half the aboue mentioned treble damages to m' vsher and to be seuerely whipt w<sup>th</sup> twenty stripes seuerely layd on paying ffees of Cour<sup>t</sup> & standing Comitted till this sentence be performed =

The Comptons sen-  
tenc

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Joshua Atwater on suspition of hauing a hand in the late dreadfull fire in Boston his examination & euidence were Comitted to y<sup>e</sup> Grand Jury who brought in they found him not guilty & so he was dischargd =

Josh Atwaters<sup>a</sup>

Peeter Lorphelin frenchman on the 8<sup>th</sup> of August last being Accused for Rash Insulting speeches in the time of the late Con- flagration = thereby Rendring himself Justly suspitious of hauing a hand therein was seized on & Comitted to the Goale in Boston and

being examined — Authority Judged it meet to orde<sup>r</sup> his chest & writtings to be searcht into by the Constables in presence of some other Gent<sup>l</sup> Appointed to see it don, in whose chest was found two or three crucibles a melting pan a strong paire of shee's to clip mony & seuerall clippings of the massachusetts mony & some other Instruments & on his examination where he had them & what money<sup>s</sup> he had clipped, & how long he had vsed that trade to wch after Counsell Given that he would speake the trueth; It was vajne to hide it those being found in his Custody; he solemnly Called God to wittnes that he had not clipt any money<sup>s</sup>, that the Instruments *of* found w<sup>th</sup> him he had tooke them out of a privatee's chest in ou<sup>r</sup> Harbou<sup>r</sup> vnde<sup>r</sup> Lamoignes powe<sup>r</sup> being sent by Authority to search their chests & persisted in that bold & Impudent lye so was Comitted to prison Againe but in a day or two he sent a letter to the secretary in which he declared that what he had so Affirmed before Authority was false & that he had received the sajd Instrum<sup>ts</sup> & Clippings of mony from a privateere about fowe<sup>r</sup> or fwe yeares since as sent to him from sajd Privatee<sup>r</sup> by a woman where sajd Privateere lodged thô he knew not the womans name All which Considered The Court Considring you<sup>r</sup> offense so prooved Against yo<sup>r</sup> sentenceth yo<sup>r</sup> to stand vpon the pillory two howers & then to haue both you<sup>r</sup> eares cut off by the executioner and to give bond in fwe hundred pounds w<sup>th</sup> two suertjes to the sattisfaction of the Go<sup>o</sup>no<sup>r</sup> & Council for you<sup>r</sup> good Abearance for y<sup>e</sup> future & pay chardges of prosecution & ffes of Court standing Comitted till the sentenc be performed — wch sentenc was executed Accordingly — — —

*Y<sup>r</sup> Court was Adjourned to 20 october 79 E R S*

*wiswall & warners  
executions  
suspended*

At the Courts Adjournment held at Boston 20<sup>th</sup> of octobe<sup>r</sup> 1679 It is ordered that the executions in both wisewalls & francklins or warners cases be suspended til the Court take further order —

On the peticon of John Warner the Court Judgeth it meet to orde<sup>r</sup> that the sajd John Warner now In prison be releast & set at libe<sup>ty</sup> paying his prison chardges —

*Warners liberty*

In Ans<sup>r</sup> to the petiçon of John Sparrey relating to John Kelly a prisoner & his debtor. The Court Judgeth it meete to take of the forme<sup>r</sup> ljmitation of selling the prisoner

*Jn<sup>r</sup> Sparrey's liberty  
to sell Jn<sup>r</sup> Kelly =*



only to those of this Colony & leaue him to the libe<sup>r</sup>ty of the law for the disposing of him — E R S

In A Answer to the peticon of mary white for a divorce from hir husband Joseph white <sub>A</sub>

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major Hawthons  
fine of 40<sup>s</sup> remitted  
E R S \*

m<sup>r</sup> Ezekel Knight y<sup>t</sup> married m<sup>r</sup> valentine Hills  
widdow presenting an orde<sup>r</sup> of y<sup>e</sup> Court of Assis<sup>ts</sup> 2<sup>d</sup>  
Sep<sup>r</sup> 62 Impowring Elde<sup>r</sup> HateEvill nutter Leift Hall & Ensigne  
Jn<sup>o</sup> Daus of oyste<sup>r</sup> Riuer as Comissio<sup>n</sup>s to vejw y<sup>e</sup> se<sup>d</sup>ll lands  
mills woods lately in possession of said valentine Hill <sub>or</sub> and  
either to lay out y<sup>e</sup> Iust due & thirds of such mills land<sup>s</sup> houses  
to y<sup>e</sup> said mary <sub>or</sub> or make Iust full & due Composition w<sup>th</sup> all  
& euery y<sup>e</sup> persons for hir Interest therein Appearing & said Elde<sup>r</sup>  
nutter being dead & m<sup>r</sup> Joseph Hill vncapable & lef<sup>t</sup> Hall remote y<sup>t</sup>  
nothing as yet hath binn donn on his the said Knights request It is  
ordered y<sup>t</sup> ensigne Jn<sup>o</sup> Daus Cap<sup>t</sup> wincoll & Cap<sup>t</sup> ffrost shall & hereby  
are desired and Impowred forthwith to see the s<sup>d</sup> former order be  
duely executed & hir the said mary<sup>s</sup> thirds layd out as by that orde<sup>r</sup>  
was Appointed & y<sup>e</sup>ir returne made thereof to y<sup>e</sup> Court of Assistants  
vnder their hands in march nex<sup>t</sup> — by y<sup>e</sup> Cour<sup>t</sup> E R S †

Att A Court of Assistants or Court of Admiralty held at Boston  
24<sup>th</sup> Septembe 1679

Nicholas Shapleigh & Richard Naggs marrine<sup>s</sup>  
of ship Jn<sup>o</sup> Adventure plt ag<sup>t</sup> Andrew Craty master  
<sub>or</sub> deffend<sup>t</sup> & ship for || y<sup>e</sup>ir || wages <sub>or</sub> as p<sup>r</sup> libell. The pltffs &  
deffendants appearing in Court declared they were  
Agreed & the plaintiff w<sup>h</sup>drew his Ac<sup>ti</sup>on =

Shapleigh & Nag  
ag<sup>t</sup> Craty =

y<sup>e</sup> charges of Court  
3<sup>d</sup> declared

Nicholas shapleigh & Richard nags being sworne saith that to the  
Information of the french Counte<sup>b</sup>band goods & brandy brought in  
the ship Jn<sup>o</sup> Adventure on their oathe<sup>s</sup> Affirmed  
that they knew no<sup>t</sup> of any that w<sup>h</sup> they mentioned  
in their libell it was the slip of the pen. — The  
Court fined the said Naggs & shapleigh tenn shil-  
lings apeece for their pernicious lye to y<sup>e</sup> Country. =  
attests E R S

shapleigh & naggs  
find 10<sup>s</sup> apeece for  
y<sup>e</sup>ir lye w<sup>h</sup> m<sup>r</sup>ash  
webb tooke as he  
told me  
=

\* See p. 90.

† The above record and the memorandum as to Hawthons fine appear to have been inserted at a later date in the small blank space at the top of the page.

Att A Court of Assistants or Court of Admiralty sitting in Boston  
26 January & from thence Adjourned to y<sup>e</sup> 2<sup>d</sup> of february 1679

present  
Symon Bradstreet  
Esq<sup>r</sup> GoD  
Tho Danforth Esq<sup>r</sup>  
dep<sup>t</sup> GoD Esq<sup>r</sup>  
Daniel Gookin  
Edw<sup>d</sup> Tyng  
w<sup>m</sup> Staughton  
Joseph dudley  
Peter Bulkley  
Humphry Dany  
& also App<sup>d</sup>  
Daniell Dennison  
Nathaniel Salton-  
stall  
4<sup>th</sup> febr. 79  
— — — —

In the Case of John Goose late master of Barcq  
Hope by his libell & Comp<sup>t</sup> dated 20 January last  
plaintiff ag<sup>t</sup> Hugh Campbell merchant & ownor of the  
sajd barcq deffendant for his the sajd Campbells de-  
nying to pay the sajd Goose his wages as mentioned  
in the sajd libell with other his charges expended and  
denying to give the plaintiffe security for the seamens

Court charge 8:6. 8.

Execution Issued  
out  
20 febr 1679 for 15<sup>li</sup>  
16: = E R S =

wages — After the Court had pervsed  
and Considered of the pleas and evi-  
dences in the Case produced they  
ordered and decreed that the deffend-  
ant pay vnto the plaintiffe tenn

pounds damage in mony & is in full of all his wages & Costs of  
Court five pounds sixteen shillings

[Blank space.]

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In the Case of Robert Pelton late mate of the barcq Hope by his  
libell & Complaint exhibbited to this Court dated  
Pelton ag<sup>t</sup> Campbell 20<sup>th</sup> of January 1679 last Against Hugh Campbell  
merchant & ownor of the sajd barcq deffendant for his the sajd Camp-  
bells denying to pay him his wages as he was mate and a short time  
master of the sajd vessell as also his disbursments in sajd vessell as in  
the sajd Lybell is exprest reference thereto being had After the Court  
had heard the Case Considered the plea & evidences in the Case pro-  
duced the Court ordered and decreed that the deffend<sup>t</sup> pay vnto the  
plaintiffe seven pounds mony in full of all his wages & Cost of

execution Issued  
out 18 febr 1679 for  
11<sup>li</sup>: 17<sup>s</sup>. 6.

Court fowe<sup>r</sup> pounds seventeene shillings and sixe  
pence: Campbell had pelton<sup>r</sup> bill of exchaing in  
open Court returnd to him againe a[nd] not medled  
w<sup>th</sup> —

In the Case of Hugh Campbell merchant & ownor of the barq  
Hope by his libell & Complaint exhibbited to this Court  
Hugh Campbell vs dated 28<sup>th</sup> of January last plaintiff against John  
J<sup>n</sup> Goose Goose late master of the sajd Barcq deffend<sup>t</sup> for his  
breach of charte<sup>r</sup> party and damages exprest at large in the sajd libell

reference thereto being had After the Court had heard the plea & evidences in that Case produced The Court adjudged for the plaintiffe fueteene pounds in mony & damage & Costs of Court sixe pounds sixteene shillings —

Att A Court of Assistants on Adjourn<sup>t</sup> or Cour<sup>t</sup> of Admiralty held at Boston first day of June 1680

Edward Randolph Esq<sup>r</sup> In behalfe of our Soueraigne Lord the king &c by his libell or declaration Plaintiffe agains<sup>t</sup> the Pyncke expectation m<sup>r</sup> Tho Gretian master hir tackle & Appurtenances as forfeited & seized to and for his majestyes vse &c as in his declaration on file more fully doth and may Appeare: The Case was Called the sajd m<sup>r</sup> Randolph Appeared Thomas Gretian Appeared by m<sup>r</sup> Anthony Cheeckly his Attorney who produced his power wch was Read the warrant & declaration was || also || Read m<sup>r</sup> cheeckly Attorney aforesajd pleaded much for a non suite seuerall pape's produced wch are on file were read as the Act<sup>s</sup> of Parljamēt in Book of Rates p 158 c<sup>r</sup>

m<sup>r</sup> Edward Randolph in open Court declared that he did heere desire to psecute his Information Given into this Court as Informer on his majty<sup>s</sup> behalfe c<sup>r</sup> m<sup>r</sup> cheeckly still pressing for a non suite It was put to the Question to the Court by

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the Depty Go<sup>u</sup>no<sup>r</sup> whither the deffendant on what was pleaded should haue a non suite Granted him or not It was resolved on the Affirmative a non suite is Granted by the Court The Dep<sup>t</sup> Go<sup>u</sup> declar<sup>d</sup> the non suit & dismiss the Jury:

At this Court m<sup>r</sup> Samuel Shrimpton Appeared and declaring that m<sup>r</sup> Randolph had seized seventeene butts of his brandy distilled he being ready to proove by his servant that he distilled it wch m<sup>r</sup> Randolph declared was sattisfactory to him & also to the Court the Court declared the sajd Brandy to be free.

execution Issued  
on<sup>e</sup> 19<sup>th</sup> febr 79 for  
21<sup>li</sup> 16<sup>s</sup>  
— — —

present  
Symon Bradstreet  
Esq<sup>r</sup> Go<sup>u</sup>  
Tho Danforth Esq<sup>r</sup>  
dep<sup>s</sup> Go.  
Daniel Gookin  
Daniel Dennison  
J<sup>n</sup>s Pyncheon  
Edw<sup>d</sup> Tyng  
W<sup>m</sup> Stoughton  
Joseph Dudley  
Peeter Bulkley  
Nath Saltonstall  
Humphry Daury  
w<sup>m</sup> Broune Se<sup>n</sup>  
J<sup>n</sup>s Hull  
J<sup>n</sup>s Richards  
James Russell  
Peter Tilton  
— — —

persons Returnd to  
serve on y<sup>e</sup> Jury &  
sworn were  
— — —  
m<sup>r</sup> Tymothy Prout  
se<sup>n</sup>  
John Walley  
James whetcombe  
Benjn walker

Tho Edwards  
Natha Byffeld  
Tho sauage Ju<sup>n</sup>  
w<sup>m</sup> Foster  
Richard sprague  
Andrew Belchar  
Phillip Knell  
John Blayny  
— — —

The Court Adjourned themselves to the 8<sup>th</sup> Instant at one of the clocke in orde<sup>r</sup> in orde<sup>r</sup> \* to a hearing of m<sup>r</sup> Randolph<sup>s</sup> Case

Att an Adjournmen<sup>t</sup> of the Court of Assistants ~~or Admiralty~~ held at Boston 8 June 1680

present  
Tho Danforth Esq<sup>r</sup> dep<sup>t</sup> Go<sup>v</sup>

Daniel Gookin  
John Pyncheon  
Nathaniell Saltonstall  
Humphry Davy  
Thomas Savage  
J<sup>n</sup> Hull  
James Russell  
Peter Tylton  
John Richards

— — —  
persons Returnd to  
serve on this Jury  
were & sworne

m<sup>r</sup> John Saffyn  
m<sup>r</sup> christopher  
clarke

David Edwards  
stephen Burton  
Anthony Hayward

Tho moore  
Edw<sup>d</sup> willis  
W<sup>m</sup> clarke

Nathan : Cary  
Nathan : Heyman  
Henry Sandiford  
Thomas Lynes  
— — —

Esq<sup>r</sup>

Edward Randolph Esq<sup>r</sup> Collecto<sup>r</sup> surveyor & searcher of his majty<sup>s</sup> Customs in New England as well for & in behalfe of our Soueraigne Lord the king Charles the second *es* and the Honnored Symon Bradstreet Esq<sup>r</sup>

as for himselfe *es* as in his libell or declaration bearing date the third of June 1680 Amply Appeares plaintiffe against Thomas Gretian m<sup>r</sup> of ~~ship~~ Pinck expectation & Against the said Pinck hir tackle and Appurtenances defend<sup>t</sup> as forfeited to and for his Majtjes vse *es* as in his declaration Reference thereto

being had may Appeare *es* The Case was Called m<sup>r</sup> Randolph Appeared so did Thomas Gretian having binn summoned (together w<sup>th</sup> his Attorney m<sup>r</sup> Anthony checkly) the libell & declaration w<sup>th</sup> other his evidences by him produced in Cour<sup>t</sup> were Reade together w<sup>th</sup> the pleas and eu-

idences produced by the deffendant which being duely Con[s]idered of was Comitted to the Jury who brought in their virdict: i e they found for the deffendant Costs of Court y<sup>e</sup> deffendant brought in his bill of Costs w<sup>ch</sup> afterward he desired to w<sup>th</sup>draw by orde<sup>r</sup> of the Go<sup>v</sup>no<sup>r</sup> it was deliuered out to him —

Att A Court of Assistants or Court of Admiralty held or sitting in Boston 7 August 1680 †

Tucker *es* a<sup>g</sup>t Loyd  
present Sym<sup>d</sup> Bradstreet Esq<sup>r</sup> Go<sup>v</sup> §  
Tho Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>v</sup>  
Daniel Gookin  
Edw<sup>d</sup> Tyng  
w<sup>m</sup> staughton  
Joseph Dudley  
Peter Bulkley

Edw<sup>d</sup> Tucker J<sup>n</sup> Tucker Richard Hicks & francis Hicks marrine's & seamen belonging to ship michael of Bristol plaintiffe Against Abraham Loyd master & Comander of said ship & said ship deffendant in an action of the Case for that the said master not only

\* Two words repeated in the record.

† The record of this and the two preceding Courts was evidently entered out of its chronological order.

§ The names of the magistrates were apparently written in at a later date.

refuseth to pay them their wages having altered his designe & voyage, doth also refuse to sett them at liberty as in their libell & Complaint exhibbited to this Court dated the 6<sup>th</sup> of August Inst reference thereto being had may Appeare the partjes plaintiff & deffendants appeared And after the Court had heard their plea & maste's Ans & Considered the Case —, determined & ordered that the sajd master Abraham loyd pay the sajd seamen all their wages i e to Edward Tucker seven pounds fowe' shillings to John Tucker his wages seven pounds fowe' shillings to Richard Hicks his wages seven pounds fowe' shillings and to ffrancis Hicks his wages seven pounds fower shillings and also pay them their Costs of Court fowe' pounds tenn shillings — And that the seamen goe their voyage to London w<sup>th</sup> sajd master —

Humphry Davy  
Tho Savage  
Jm Hull  
[Jm] Richard[s]  
[James] Russell

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Att A Court of Assistants held at Boston 2<sup>d</sup> day of march 1679.

Thomas Hill plaintiff against W<sup>m</sup> Obbinson deffendant in an action of Appeale from the Judgment of the County Court in Boston Afte' the Attachment Courts Judgment reason' of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found a speciall virdict: If the lessor not performing his part of the Couenant doth disobleige the lessee from his part of the Couenant then wee finde for the deffendant Confirmation of the forme' Judgement of the forme' Court & Costs of Courts If not wee finde for the plaintiffe tenn pounds in money & Costs of Courts the Court Resolves this question on the negative that the lessor's non-performance of the Couenant doth not disobleige the lesse\* & determins for the ~~deffendant~~ ~~confirmation of the former judgement~~ plaintiff that the deffendant pay the plaintiff || tenn pounds money & Costs of Courts three pounds fower shillings & eight pence. —

present  
Symon Bradstreet Esqr Go<sup>d</sup>  
Tho Danforth Esqr dep<sup>t</sup> Go<sup>d</sup>  
Daniel Gookin  
Daniel Dennison  
w<sup>m</sup> Stoughton  
Joseph dudley  
Peeter Bulkley  
Nathaniel Saltonstall  
Humphry Davy  
— — — —

Esqs

persons Returnd to  
serve on the Grand  
Jury & sworne

were =

— — — —  
m<sup>r</sup> John Long.  
ffrancis douse  
Jerremiah ffitch  
Joseph Dauls  
Bartholmew cheevers  
John Bateman  
Samuel Williams  
John May  
Henry Bright  
Gregory Cooke  
Isack Jones  
Tho Jenner  
John Stone  
Samuel Andrewes  
— — — —

persons Returnd  
to serve on y<sup>e</sup> || 1<sup>st</sup> ||  
Jury of trjalls for  
Appeales lffe limbe  
& Banishm<sup>t</sup>  
— — — —

Hannah Negro plaintiff in an Acton of Appeale

\* lessee ?

Mr John Hubbard  
 Thomas Newman  
 John Watson  
 Suball Seaver  
 John Whitney  
 Benja Garfield  
 Roger Sumner  
 James Foster  
 Thomas Tucke  
 John Outler Junr  
 Isack Williams  
 Peeter Towne  
 — — — —

from the sentence of the last County Court in Boston  
 as to y<sup>e</sup> mulk = After the Courts sentenc was read  
 & the Jury brought in their virdict they found the  
 said Hannah Negro Guilty of matter of fact then  
 charged vpon hir & Costs of Courts

Thomas Holmes plaintiff ag<sup>t</sup> major Thomas Clarke  
 deffend<sup>t</sup> in an action of Appeale from the Judgment  
 of the last County Court in Boston = After the At-  
 tachment Courts Judgment Reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on file. the Jury brought  
 in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup>  
 Judgment & Costs of Courts the bench hauing heard the plaintiffs At-  
 turney & the deffendant pleas did chancerje the bond to the principall  
 sume according to bond one hundred & Twenty pounds money to be paid  
 yearly twenty fowe<sup>r</sup> pounds the first payment was to beginne the first  
 of July 1675 and so on the first of July yearly successiue as men-  
 tioned in the bond w<sup>th</sup> sixe p<sup>er</sup> Cent for Interest w<sup>ch</sup> Comes in all to the  
 9<sup>th</sup> Inst to one hundred thirty nine pounds three shillings [with ff<sup>y</sup>ty \*]  
 five shiling<sup>s</sup> & two pence costs = 45<sup>s</sup> 2<sup>d</sup> || execution Issued out 10  
 m<sup>o</sup>rch 79 ||

Joshua Scottow plaintiff ag<sup>t</sup> Samuel whelewright deffend<sup>t</sup> in an  
 Accon of Appeal from the Judgment of the County Court in Boston  
 After the Attachment Courts Judgement reasons of Appeale & eu-  
 idences in the Case produced were read Comitted to the Jury & are on  
 file w<sup>th</sup> the reccords of this Court the Jury brought in their virdict they  
 found for the deffendant Confirmation of the form<sup>r</sup> Judgment & Costs  
 of Courts five pounds fueteen shilling<sup>s</sup> & ten pence

Richard martjn plaintiffe ag<sup>t</sup> Jn<sup>o</sup> Briggs & Benjamin martyn de-  
 ffendants in an Action of Appeale from the Judgment of the County  
 Court at charlsTowne After the Attachment Courts  
 Judgment reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on  
 file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict  
 that if the s<sup>d</sup> Richard martyn Coming to New-England Contrary to his  
 Contract w<sup>th</sup> his men though not prooved a deliuering port doe release  
 them from that voyage as in law pag 95 sect 9 then wee find for the

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\* Written over the cancelled words "and two pence Costs."

deffendants Confirmation of the former Judgment & Costs of Courts if not wee find for the plaintiff Reuertion of the forme' Judgment & Costs of Courts The bench declares & determines for y<sup>e</sup> deffendants three pounds fowe' shillings & six pence

Ann Dauenport Attorney to francis dauenport he now being p'sent plaintiff in an Accon of Appeale from the Judgment or settlement of y<sup>e</sup> estate of w<sup>m</sup> snelling deceased by y<sup>e</sup> County Court in Boston. This Case was Called & non suited becaus the reasons of Appeale were no' signed w<sup>th</sup> hir name.

[108]

1679

Cap<sup>t</sup> Daniel Henchman in behalf of himself & Left Richard woody Guardians to the 5 children of Anne Hitt plaintiff ag<sup>t</sup> the sentence or settlement of the County Court last in Novembe' of y<sup>t</sup> estate after y<sup>e</sup> County Courts Judgment *et* was Read w<sup>th</sup> the evidences in the Case produced This Court Confirms the settlement of the County Court

persons Returned to  
serve on y<sup>e</sup> 24 Jury  
for trials of  
Appeale & for life  
limb & banish-  
ment ==

sworne

— — — —  
m<sup>r</sup> Jerremiah Dum-  
mer

Pen Townsend  
John Endecott  
Isack Newell  
Robert Herrington  
Samuel Sternes  
Samuel Paul  
Joseph Leeds  
Richard Louden  
Samuel Ballard  
Jonathan Hydes  
Thomas Langhorne  
— — — —

Isack waldron plaintiff ag<sup>t</sup> George walton deffendant in an action of Appeale from the Judgment of the Court of Associats at portsmouth 30<sup>th</sup> Sep<sup>r</sup> 79 after the Courts Judgment & Reason<sup>s</sup> of Appeale was Read y<sup>e</sup> partjes i e. ye plaintiff & deffend<sup>t</sup> by his Attorney Hen Roby Appeared || *et* || y<sup>e</sup> Attorney pleaded It was not now in o<sup>r</sup> Jurisdiction & not to be tryed here wch y<sup>e</sup> plaintiff accepted of & so it fell ==

Nathaniel Byfeild execcuto' of the last will of the late Cap<sup>t</sup> Thomas Clarke plaintiffe against John Taylor & Symeon messenger deffend<sup>t</sup> in an Action of Appeale from the Commis-sione's Court in Boston — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the plaintiffe reuersion of the former Judgment & three pounds fueteene shillings damage || in money || & Costs of Courts thirty seuen shillings & tenn pence ==

Byfeild ag<sup>t</sup> Taylor  
& messenger

Cap<sup>t</sup> Nicholas Manning plaintiff ag<sup>t</sup> Resolued whight & Abigaile

**Manning ag<sup>t</sup> white** his wife relict of the late w<sup>m</sup> Lord defendant in An action of Appeale from the Judgm<sup>t</sup> of the County Court at Salem After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts twenty eight shillings & six pence —

m<sup>r</sup> w<sup>m</sup> Hooke plaintiffe ag<sup>t</sup> major Robe<sup>t</sup> Pike deffend<sup>t</sup> In an Action of Appeale from the Judgment of the County Court at Sallisbury  
**Hooke ag<sup>t</sup> Pike** After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case || produced || were read Comitted to y<sup>e</sup> Jury before virdict || came in || by Consent of partjes the Case was referred to the hearing of Cap<sup>t</sup> John Apleton Cap<sup>t</sup> John whiple & maximillian Jewet who are to Goe on the place heare both partjes & determine & conclud the Case the partjes Acknowledging themselues bound in one hundred pounds apeece each to other to stand to & abide the determination of the whole Case & Costs of Courts Cap<sup>t</sup> Apleton to Appoint time & place of meeting between this & Aprill & that it be ended before 1<sup>st</sup> of may next the whole Case by orde<sup>r</sup> of y<sup>e</sup> Court was dd to Plaintiff & deffendant in open Court —

Jn<sup>o</sup> Apleton Jun<sup>o</sup> plaintiffe ag<sup>t</sup> Abell porter deffendant in an action of Appeale from the Judgment of the County Court at Boston after the Attachment Courts Judgment reasons of Appeale and evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts || After y<sup>e</sup> Court had heard y<sup>e</sup> partjes pleas [for?] a chancery of y<sup>e</sup> bond they Judged it meet i e ~~on hearing of partjes~~ the bench || to || chancery \* the bond to forty five pounds mony & Costs of Courts the plaintiff taking the debts & Goods in virginea to himself y<sup>e</sup> Costs allowed being fowe<sup>r</sup> pound sixteene shillings and two pence —

exce Issued out 19  
 march 79 for 40. 16.  
 2<sup>d</sup> E R S

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\* First written "chanceried."



[109]

1679

m<sup>r</sup> Nicholas Paige & m<sup>r</sup> Jno Poole plaintiff<sup>s</sup> in an action of  
 Appeale ag<sup>t</sup> m<sup>r</sup> Paul Dudley & Cap<sup>t</sup> Edward Tyng  
 deffend<sup>t</sup> from the Judgment of the County Court at Paige *et* ag<sup>t</sup> dud-  
 ley *et*  
 Boston After the Attachment Courts Judgment  
 Reasons of Appeale & evidences in the Case produced were read  
 Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court  
 the Jury brought in their virdict they found for the deffendant<sup>t</sup> Con-  
 firmation of the forme<sup>r</sup> Judgment & Costs of Courts forty three shil-  
 lings *et* —

John Willjams plaintiff in an Action of Appeale ag<sup>t</sup> James  
 Townsend deffend<sup>t</sup> from the Judgment of the County W<sup>th</sup> ag<sup>t</sup> Townsend  
 Court at Boston this Action was Called no Reasons  
 Appeard signed by a legall Attorney nor vnder y<sup>e</sup> plaintiff<sup>s</sup> hand the  
 plaintiff was declar'd to be non suited & the deffendant to haue his  
 Costs seven shillings —

Jn<sup>o</sup> Endecot plaintiffe on Appeale from the sentence of the County  
 Court at Boston in Novembe<sup>r</sup> last this Accon was Refferd by y<sup>e</sup> plain-  
 tiff to y<sup>e</sup> eleven of the Jury After y<sup>e</sup> Courts sentenc Jn<sup>o</sup> Endecot disch<sup>g</sup>  
 was read w<sup>th</sup> y<sup>e</sup> evidences produced the Jury brought  
 in their virdict they found y<sup>e</sup> plt not guilty of matter of fact —

John Gifford plaintiffe against Robe<sup>t</sup> Lord marshall of Ipswich  
 deffend<sup>t</sup> in an action of Appeale from the Judgment of the County  
 Court at Salem after the Attachment Courts Judg-  
 ment reasons of Appeale & evidences in the Case pro-  
 duced were read Comitted to the Jury & are on file Gifford ag<sup>t</sup> Lord  
 Execution Issued  
 out 27 march 80  
 w<sup>th</sup> the Reccords of this Court the Jury brought in  
 their virdict they found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup>  
 Judgment & Costs of Courts forty shillings and two pence

Thomas Wells plaintiff ag<sup>t</sup> Edward Allin deffend<sup>t</sup> in an Action of  
 Appeale from the Judgment of the Comissioners  
 Court in Boston After the Attachm<sup>t</sup> Courts Judgment wells ag<sup>t</sup> Allin  
 Reason<sup>s</sup> of Appeale & evidences in the Case produced were read Comi-  
 tted to the Jury & are on file w<sup>th</sup> the reccords of this Court the Jury  
 brought in their virdict they found for y<sup>e</sup> deffendant confirmation of  
 the forme<sup>r</sup> Judgment & costs of Courts

were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of  
 this Court the Jury brought in their virdit they  
 exco Issued out 8: found for<sub>A</sub> reuersion of the former Judgment & twenty  
 Aug<sup>r</sup> 80 for 3: 14<sup>r</sup>: eight shillings damage & Costs of Courts forty six  
 c<sup>r</sup> shillings —

Thomas wate's being Comitted to prison for comitting a Rape on  
 the body of Bethya Johnson The Grand Jury presenting of him & by  
 their bill left to further Tryall was brought to the barr and was  
 Indicted by the name of Thomas wate's late Resident of wooborne  
 for not hauing the feare of God before his eyes &  
 being Instigated by the Diuill did sometime in January  
 last Comitt a rape on the body of Bethya Johnson  
 daughter of John Johnson of s<sup>d</sup> wooborne Contrary to the peace of  
 ou<sup>r</sup> Soueraigne Lord the king his Croune & dignity the lawes of God  
 & of this Jurisdiction to which Indictment he pleaded no<sup>t</sup> guilty put  
 himself on God & the Country for his trjall After the evidences in the  
 Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the  
 Reccords of this Court the Jury brought in their virdict they found  
 him not Guilty according to Indictment The Court Considering the  
 Case orde<sup>d</sup> him to pay the charge of his tryall & all the wittnesses  
 y<sup>t</sup> were Against him & that once w<sup>th</sup>in tenn dayes he depart this Juris-  
 diction & no<sup>t</sup> returne into it Againe w<sup>th</sup>out licence first  
 obteyned from the Court on penalty of being Comitted  
 to prison there to lye till he be dischargd thenc by  
 orde<sup>r</sup> of Authority paying ff<sup>ee</sup> of Court & then be  
 dischargd the prison —

Courts act as to  
 Hugh Clarke &  
 Abiel Lambe

In the Case of Hugh Clarke & Abjel Lambe the  
 Court sees no cause to abate of the last Court of Assist-  
 ants Judgment —

m<sup>r</sup> | Jn<sup>o</sup> | Alden producing his bill of Costs in the Accon be-  
 tweene him & majo<sup>r</sup> Thomas Clarke Amounting to  
 five pounds fowe<sup>r</sup> shilling & sixe pene being testified  
 by maj<sup>r</sup> sauage then Speake<sup>r</sup> y<sup>t</sup> Costs of Courts was  
 allowed thô the clarke wrote only Court wch y<sup>e</sup> clark  
 likewise ouning the Court of Assistants now on Adjourn<sup>t</sup> Allowed the  
 costs to be five pounds mony —

Jn<sup>o</sup> Alden Costs  
 vide Gef<sup>d</sup> Court  
 may 1677

whereas in the Case betweene m<sup>r</sup> Porter & m<sup>r</sup> Apleton depending in the Court of Assistants about the Chancering of a bond of Arbitration It appears (through Inadvertency) that Judgment is entred Contrary to the Intention & order of the Court for a respitt vntill a further hearing It is hereby ordered & declared that the said Judgment be null & voyd in lawe and all acts since donne by either partje in prosecution of the said Judgment be in like manner null & voyd vntil the said Apleton haue opportunity of further plea whereunto he shall be Admitted before the end of the next Court of Assistants in September or the Court take further order therein :

pass  
at Courts Adjourn<sup>t</sup>  
4 June 1680

*[The following is written in the small blank space left at the foot of the page, as if inserted by the Secretary at a later date.]*

The Grand Jury presenting Elisabeth morse y<sup>e</sup> wife of w<sup>m</sup> morse *¶* she *¶* was Indicted by the name of Elisabeth morse for that she not hauing the feare of God before hir eyes being Instigated by the diuill & hauing had familiarity w<sup>th</sup> the diuill contrary to the peace of our So<sup>d</sup>aigne Lord the King his croune & dignity y<sup>e</sup> lawes of God & of this Jurisdiction: After the prison<sup>r</sup> had pleaded not Guilty & put himself on God & y<sup>e</sup> Country for triall y<sup>e</sup> evidences product were read Comitted to the Jury y<sup>e</sup> Jury brought in their virdict they found hir Guilty according to Indictment & had sentenc<sup>a</sup>

[112]

1680

Att a Court of Assistants or Court of Admiralty  
sitting in Boston 7<sup>th</sup> of August 1680 —

present  
Symon Bradstreet  
Esq<sup>r</sup> Go<sup>d</sup>  
Tho Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>d</sup>  
Daniel Gookin  
Edw<sup>d</sup> Tyng  
Joseph Dudley  
Peeter Bulkley  
Humphry Davy  
Tho Sauage  
John Hull  
James Russell  
— — — —

Jn<sup>o</sup> macklish Carpenter<sup>s</sup> mate James mullen Cooper Jn<sup>o</sup> sauage Jn<sup>o</sup> Thomas & michael Johnson marrine's of ship Herron plaintiff<sup>s</sup> ag<sup>t</sup> Cap<sup>t</sup> Jn<sup>o</sup> Ely master of the said ship deffendants in an action of the Case according to their libell exhibbited to said Court bearing date the 4<sup>th</sup> of August 1680 the partjes plaintiffe & deffend<sup>t</sup> Appeared And after the Court had heard their pleas & Ans<sup>rs</sup> & Considered their

evidences in the Case produced This Court determind & order'd that Cap<sup>t</sup> Jn<sup>o</sup> Ely the master pay the said seamen their seuerall wages to this day viz<sup>t</sup> to Jn<sup>o</sup> macklish for his tenn month<sup>s</sup> & 5 odd day<sup>s</sup> service

at forty five shillings p m<sup>o</sup> is twenty two pounds ten shillings to James mullin for his like time at twenty 8<sup>o</sup> p mo. foweteene pounds. To Jn<sup>o</sup> Thomas for his time at twenty five shilling<sup>s</sup> p m<sup>o</sup>: twelve pounds tenn shillings To Jn<sup>o</sup> Sauage for his time at twenty fower shilling<sup>s</sup> p mo twelve pounds & to michael Johnson for seven mon<sup>th</sup>s & odd days at twenty shillings p m<sup>o</sup>. seven pounds fower shillings deducting what they already haue had and two mon<sup>th</sup>s wages p man to be reserved in the maste's hands for security of their service in the Remaying Voyage & the sajd plaintiffs to pay Costs c<sup>r</sup> 15<sup>s</sup>:

present  
Simon Bradstreet Esq<sup>r</sup>  
Go<sup>d</sup>  
Tho. Danforth Esq<sup>r</sup> dep<sup>t</sup>  
Go<sup>d</sup>

Edward Tyng  
Joseph Dudley  
Peter Bulkley  
Humphry Dauy  
Tho. Sauage  
Wm Browne sen<sup>d</sup>  
John Hull

persons Returned to  
serve on the Jury &  
sworne were

mr James Whet-  
combe  
Nathaniel Greene  
Thomas Thatcher  
Edward Bromefield  
Richard Harris  
James Loyd  
Samuel Chickley  
Arthur Tanner  
John Balston Jun<sup>r</sup>  
John Cutler  
Solomon Phipps  
Enoch moore

Att A Court of Assistants held at Boston on  
Adjournmt 20<sup>th</sup> of August 1680

Edward Randolph Esq<sup>r</sup> by his Information  
exhibbited to this Court prosecuting in his  
Majestyes name\* as in sajd Information refer-  
ence thereto being had may Appeare plaintiffe c<sup>r</sup>  
Against Jonathan Jackson and Nathaniel Ballard  
maste's of two sloopes loaden w<sup>th</sup> tobacco<sup>m</sup> and other  
Goods deffendants going downe as Informed to ship  
S't John of Dublin lying out of Com<sup>and</sup> of the Castle,  
After the Information and evidences in the Case pro-  
duced were read Comitted to the Jury and are on file  
w<sup>th</sup> the Reccords of this Court the Jury brought in  
their virdict viz<sup>t</sup> In the Case depending betweene  
Edward Randolph Esq<sup>r</sup> plaintiffe & Jonathan Jackson  
& Nathaniel Ballard Deffendants The Jury finds for  
the deffendants Costs of Court which was Granted  
them three shillings =

[Page 113 is blank with the exception of the date 1680  
at the top of the page.]

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1680

present  
Symon Bradstreet  
Esq<sup>r</sup> Go<sup>d</sup>

Att A Court of Assistants held at Boston 7<sup>th</sup> 7ber  
1680 =

\* Written over "behalf."

John Bateman plaintiffe against Robe't Taft deffendant in an action of Appeale from the Judgment of the County Court in Boston in Aprill last. After the Attachment Courts Judgment Reasons of appeale and evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend' Confirmation of the forme' Judgment & Costs of Courts the plantiffe desired his bond might be chancerjed the Court hauing heard the plainff's pleas & the deffendants Ans' chancerjed the bond to fiueteene pounds damñage in mony y<sup>e</sup> Costs Included all but filings : 2. 6

Thomas Hill plaintiff ag' w<sup>m</sup> obbinson deffend' in an action of Appeale from the Judgment of the County Court in Aprill last After the Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & Remajne on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict i e a speciall virdict That if the deffendant giving the plaintiff the key & saying It was the key of his doore if that give<sup>s</sup> the plaintiff a Reentry then wee find for the deffendants Costs of Courts & if so Giving & Receiving the key gives no reentry then wee finde for the plaintiff tenn pounds damages in mony & Costs of Courts = The Court on the Consideration of this virdict Resolue<sup>s</sup> it for the deffendant Costs of Courts nineteene shillings & tenn pence :

Thomas Hill plaintiff ag' w<sup>m</sup> Obbinson deffend' in an action of Appeale from the Judgment of the County Court in Boston in Aprill last After the Attachment Courts Judgment Reasons of Apeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the reccords of this Court The Jury brought in their virdict they found for the deffendant fiueteene pounds in money damage & Costs

Daniel Gookin  
Daniel Dennison  
Edward Tyng  
W<sup>m</sup> Stoughton  
Joseph Dudley  
Peter Bulkley  
2 Humphry Davy  
1 Nath. Salton-  
stall \*  
Thomas Sausage  
John Hull  
John Richards  
James Russell

Grand Jury were  
sumond Appeard  
& were Called but  
no occasion present-  
ing were dis-  
charged vide day  
book

person<sup>s</sup> Returned to  
serve on the 1<sup>st</sup> Jury  
of trials & sworne  
were =

m<sup>r</sup> Samuel Legg  
J<sup>n</sup> clarke marriner  
w<sup>m</sup> Harris  
James Taylor  
Nathaniel Thayer  
Tho Bacon  
w<sup>m</sup> Dauls  
Richard Stowers  
nicho: meade  
obadiah Swift  
J<sup>n</sup> Barnard  
Sam Leuermore =

person<sup>s</sup> Returned to  
serve on the 2<sup>d</sup> Jury  
for trials of Appeale  
or sworne were =

m<sup>r</sup> Elizur Hollock  
Jonathan Bridgham  
Isack walker  
Jabez Tatman  
James Loudon  
Isack Howle  
Desire Clap  
Thomas Strajte  
J<sup>n</sup> Jackson  
nicholas Gessingden  
Andrew Boardman  
John Fuller

\* The numbers against these two names are in the original record and were intended to correct an error of arrangement.

of Court reusing the former Judgment as to the other part Costs two pounds fower shilling<sup>s</sup> & two pence —

Resolved white plaintiffe against Nicholas making defendant in  
An Action of Appeale from the Judgment of the last County Court at  
Ipswich After the Attachment Courts Judgment Reasons of Appeale  
& evidences in the Case produced were read Comitted  
executi  
Issued to the Jury & are on file the Jury brought in their  
virdict they found for the plaintiffe y<sup>e</sup> Reuersion of  
the former Judgment & Costs of Courts sixe pounds two shillings  
& six pence ==

Willjam Rauson Attorney to Jame<sup>s</sup> Greene plaintiff ag<sup>t</sup> John  
Bake<sup>r</sup> deffed<sup>t</sup> an action of Appeale from the Judgment of the Comis-  
sion's Court After the Attachment Courts Judgment Reasons of  
Appeale & evidences in the Case produced were read Comitted to the  
Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought  
in their virdict they found for the defendant Costs of  
Rauson ag<sup>t</sup> Bake<sup>r</sup> Courts. the magists Comended the Case to the Jury  
once & Againe & sent the Jury forth to cons<sup>d</sup>er of it but they per-  
sisted & declar<sup>d</sup> they † they Could not alter their virdict y<sup>e</sup> Costs  
Agreed on was twelue shillings

[115]

1680

Samuel Pelton plaintiff ag<sup>t</sup> Sam. Thompson & John Thompson  
Attorney<sup>s</sup> to w<sup>m</sup> Thompson in an Action of Appeale from the Judgment  
of the County Court at Boston Afte<sup>r</sup> the Attachment Courts Judgment  
& Reason<sup>s</sup> of Appeale and evidences in the case produced were Read  
Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the  
Jury brought in their virdict they found a speciall  
Pelton ag<sup>t</sup>  
Thompson = virdict If according to law A † sue<sup>r</sup>ty may sue<sup>r</sup>ty  
may § sue the principle for the foretime ‡ of that bond  
wherein they are Jointly and seuerally bound Then the Jury finde  
for deffendant the Confirmation of the former Judgment & Costs of  
Courts, But if the law be otherwise the Jury finds for the plaintiffe  
the reuertjon of the former Judgment & Costs of Courts The Court on

\* Error in the record for "James." See the letter of Attorney in No. 1839, Court Files, Suffolk.

† Error of the record for "that."

‡ Written over "of."

§ Two words repeated in the record.

‡ Error in the record for "forfeiture," as appears by the original verdict on file.

Consideration of this virdict Resolves the Question for the deffendant & grants Costs of Courts —

Phillip knight plaintiff ag<sup>t</sup> Thomas Caue deffendant in an action of Appeale from the Judgment of the County Court at Salem After the Attachment the Courts Judgment Knight ag<sup>t</sup> Caue Reasons of Appeale and evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court: The Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Court

Richard Hall & Elizabeth his wife plaintiffe against & Elizabeth his wife plaintiffe Against \* Tho weld deffendant Richd Hall p<sup>t</sup> ag<sup>t</sup>  
Tho weld: — ¶ after y<sup>e</sup> Attachm<sup>t</sup> Courts Judgm<sup>t</sup> Reasons of Appeale e<sup>r</sup> Read & Comitted to y<sup>e</sup> Jury y<sup>e</sup> Jury brought in y<sup>e</sup>r virdict ¶ Confirmation of the former Judgment & Cost of Court<sup>s</sup> twenty seven shilling<sup>s</sup> & sixpence. —

Thomas walter plaintiff against John Gifford deffend<sup>t</sup> — After the Attachm<sup>t</sup> Courts Judgment & Reasons of Appeale & evidences in the Case produced were read Comitted walter ag<sup>t</sup> Gifford to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff Reuersion of the forme<sup>r</sup> Judgment & Costs of Courts

Thomas walter plaintiff ag<sup>t</sup> John Gifford deffendant deffend<sup>t</sup> † After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury walter ag<sup>t</sup> Gifford and are on file w<sup>th</sup> the reccords of this Court the Jury brought in their virdict they found f<sup>r</sup>or the deffendant Confirmation of the former Judgment w<sup>th</sup> an Addition of twenty pounds more money damage & Costs of Courts three pounds three shillings .

Samuel Dutch plaintiffe Against Roger Darby deffendant in An action, Appeale from the Judgment of the County Court at Ipswich After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Dutch ag<sup>t</sup> Darby Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they f<sup>r</sup>ound for the plaintiff reuersion of the forme<sup>r</sup> Judgment & Costs of Courts sixe pounds fowe<sup>r</sup>teen shillings & sixe pence

\* Six words repeated in the record.

† Written over "plaintiff."

[116]

1680

John Hoare Assignee of marshall Richard wayte plaintiff against  
 m's Elisabeth Cooke & m' Elisha Cooke execcuto'ix &  
 Hoare ag<sup>t</sup> Cooke execcuto' of y<sup>e</sup> late Lef<sup>t</sup> Richard Cook deffend' in an  
 action of Appeale from the Judgment of the County Court at Cam-  
 bridge in Aprill last After the Attachm<sup>t</sup> Courts Judgment Reason<sup>s</sup>  
 of Appeale & evidences in the Case produced were read with the  
 Generall \* Courts Judgment 11<sup>th</sup> octobe<sup>r</sup> 1665 The Court declared they  
 Allowed of the County Courts Judgment for a non suit. —

walter euerden<sup>\*</sup> plaintiff against Richard Smith deffend' in an  
 Action of Appeale from the Judgment of the Comis-  
 sione's Court in Boston in August last both partjes  
 Everden ag<sup>t</sup> smith Appearing in Court declaring they were Agreed The plaintiff had  
 libe<sup>t</sup>y & did w<sup>th</sup>draw his Action —

Samuel Bellingham Esq<sup>r</sup> plaintiff against James Russell Esq<sup>r</sup> de-  
 ffendant After Attachment Courts Judgment Reasons  
 of Appeale & evidences in the Case produced were  
 Sam Bellingham read Comitted to the Jury & are on file the Jury  
 Esq<sup>r</sup> Deus James brought in their virdict they found for the deffendant  
 Russell Esq<sup>r</sup> = Confirmation of the former Courts Judgment twenty one pounds ten  
 shillings & Costs of Courts —

Stephen Butler plaintiff ag<sup>t</sup> w<sup>m</sup> Holowell Benjamin Holowell &  
 Edw<sup>d</sup> Ashely deffend' in an action of Appeale from  
 Butler ag<sup>t</sup> Hollowell the Judgment of the County Court in Boston After  
 the Courts Judgm<sup>t</sup> Attachment Reasons of Appeale  
 & evidences in the Case produced were read Comitted to the Jury &  
 are on file w<sup>th</sup> the Reccords of this Court the Jury  
 brought in their virdict they found for the deffendant  
 Execution Issued Confirmation of the forme<sup>r</sup> Judgment & costs of  
 out 9 novemb. 80 Courts || sixe pounds sixe shillings ||  
 dd m<sup>r</sup> checkly =

Nicholas maning plaintiff against John Broune se<sup>n</sup> & Henry Bar-  
 tholmew in an action of Appeale from the Judgment  
 maning ag<sup>t</sup> Broune of the County Court at Salem After the Attachment  
 & Bartholmew Courts Judgment Reasons of Appeale & evidences in  
 the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup>

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\* These last three words written over the words "Comitted to the Jury."



the Records of this Court the Jury brought in their virdict they found for the ~~plaintiff~~ || defendant || Confirmation of the former Judgment & Costs of Courts fuety six shillings & fowe' pence —

Abiell Lambe plaintiff ag<sup>t</sup> John Clarke deffendant in An action of Appeale from the Judgment of the County Court in Boston After the Attachment Courts Judgment & Reasons of Appeale & other evidences in the Case produced were Lambe ag<sup>t</sup> Clark  
Read comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff thirteen pounds six shilling & eight pence. Reuſing the former Judgment three pounds seventeen shilling<sup>s</sup> & two pence

Phillip Greely plaintiff ag<sup>t</sup> Thomas woodbridge deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court at Ipswich After the Attachment Courts Judgment Reason<sup>s</sup> of Appeale & evidences in the Case Greely ag<sup>t</sup> wood-  
bridge  
produced were read Comitted to the Jury and are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme' Judgment and Costs of Courts

*[The following is entered on the lower edge of the page.]*

Barnard Trott plaintiff || on Appeale from the Judgm<sup>t</sup> of the County Court in Boston || ag<sup>t</sup> Abra Gourdon plaintiff & deffend<sup>t</sup> App<sup>rd</sup> & declard they were Agreed the Trott ag<sup>t</sup> Gourdon  
plaintiff as in othe' case<sup>s</sup> had libe'ty granted & did w<sup>th</sup>draw his Accon

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Returne wayte plaintiff ag<sup>t</sup> Samuel Lewis deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court at Charles Towne after the Attachment Courts Judgmen<sup>t</sup> wayte ag<sup>t</sup> Lewis  
Reasons of Appeale & evidences in the Case produced were read comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff Reuersion of the former Judgment & Costs of Courts fuety fue shilling<sup>s</sup> & six pence

m<sup>s</sup> Elisabeth Cooke excecatrix & m<sup>r</sup> Elisha Cooke excecuto<sup>r</sup> to the last will of || y<sup>e</sup> late Lef<sup>t</sup> || Richd Cooke p Elisha Cook  
plttf. ag<sup>t</sup> James olliuer deffendant in an action of

Appeale from the Judgment of the County Court in Boston After  
 Cooke ag<sup>t</sup> Olluer the Attachm<sup>t</sup> Courts Judgm<sup>t</sup> Reasons of Appeale &  
 evidences in the Case produced were read comitted to  
 the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury  
 Brought in their virdict they found for the Deffendant<sup>s</sup> Confirmation of  
 the forme<sup>r</sup> Judgment & Costs of Courts — The plaintiff declared he  
 Attainted the Jury ¶ for erro's or mistakes ¶ & in open Court Elisha  
 Cooke in behalfe of his mother & for himself w<sup>th</sup> Isaack Addington his  
 suerty Acknowledged Jointly & seuerally ¶ themselues c<sup>r</sup> ¶ bound in  
 tenn pounds to the Trespure<sup>r</sup> of the Country on Condition that the sajd  
 Elisha Cooke should prosecute his Attaint of the Jury as to matter of  
 Erro<sup>r</sup> at the next Court of Assistants to effect — E R S

John Hoare plaintiffe against Elisabeth Cooke excecatrix & Elisha  
 Cooke deffend<sup>t</sup> in an Action of Appeale from the  
 Hoare ag<sup>t</sup> Cooke Judgmen<sup>t</sup> of the County Cour<sup>t</sup> at Cambridg after the  
 Attachment Courts Judgment Reasons of Appeale & evidences in  
 the Case produced were read with \* the Copie of the Gennerall Courts  
 Judgment in Barr of prosecution the Court declared the plaintiff was  
 non suited —

Peter Egerton plaintiff ag<sup>t</sup> m's smith widdow deffendant in an  
 Action of Appeale from the Judgment of the County  
 Egerton ag<sup>t</sup> Smith Court at Boston the plaintiff being three times Called  
 & making default by his non Appearance he was non suited & his bond  
 declared to be forfeited: & Katherin Smith had hir Costs Granted  
 6<sup>s</sup> 10<sup>d</sup> —

W<sup>m</sup> Pitts plaintiff Against Enock Badcock deffend<sup>t</sup> in an action of  
 Appeale from the Judgment of the County Court at  
 Pitts ag<sup>t</sup> Badcock Boston After the Attachment Courts Judgment Rea-  
 sons of Appeale & evidences in the Case produced were read Comitted  
 to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury  
 brought in their virdict they found for the deffend<sup>t</sup> Confirmation of  
 the forme<sup>r</sup> Judgm<sup>t</sup> 9<sup>li</sup> 18<sup>s</sup> mony damage & costs of Court

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Francis davenport hauing entred bond to prosecut  
 Francis Dauenpor<sup>t</sup> his Appeale from the sentanc or Judgm<sup>t</sup> of the County  
 Court in Boston & no Action entred & the Deffend<sup>t</sup> † Patch

\* Written over "Comitt."

† This space left blank in the original.

Appearing for his Costs the Court declared he had forfeited his bond —

Daniel Mathew on Appeale from the Judgm<sup>t</sup> of the County Court in Boston The Case was Called but no reasons Rendered but that he was vnsatisfied The Court declare<sup>d</sup> the Case was non suited & bond forfeited

Mathews bond  
forfeited

Ralph Powel plaintiff against m<sup>r</sup> John Cotton deffend<sup>t</sup> In an action of Appeale from the Judgment of the County Court in Boston in July last After the Attachment Courts Judgment Reasons of Appeale and evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the Deffendant Confirmation of the forme<sup>r</sup> Judgment 4<sup>li</sup> mony damage & costs of Courts forty seven shillings & six pence

Powell ag<sup>t</sup> Cotton

Henry Ellit plaintiff ag<sup>t</sup> Geoge Dauson deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court in Boston After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the forme<sup>r</sup> Judgment & Costs of Courts fuety seven shillings & six pence

Execution Issued  
out for 57<sup>s</sup>. 6.

[The following paragraph with the marginal note appears to have been entered by the secretary at a later date.]

The Court on Consideration of their late Act in June last Reasuming the Chanceryng of m<sup>r</sup> Apleton<sup>s</sup> bond declare they haue chancerjed the s<sup>d</sup> bond to thirty five pounds mony & m<sup>r</sup> Apleton to haue the tobacco<sup>s</sup> himselfe

m<sup>r</sup> Apleton bond  
chancerjed =

Nehemiah Pearse plaintiff on Appeale from the Judgm<sup>t</sup> of the County Court in Boston — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict i e they find him<sup>a</sup> of the fact chardged

Nehemiah Pearse  
2 10

on his peticon the Court Remitted the one halfe of his fine.

Nicholas Paige plaintiff ag<sup>t</sup> Rob<sup>t</sup> Brimsden deffendant In an  
 Action of Appeale from the Judgment of the County  
 Court in Boston the partjes being Agreed the plain-  
 tiff had liberty & did w<sup>th</sup>draw his Accon

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1680 9 Aug<sup>t</sup> 1680

Edward Randolph Esq<sup>r</sup> e<sup>r</sup> by his libell & Information plaintiffe  
 ag<sup>t</sup> fuety hogsheads || & 4 baggs || of tobacco & other Plantation  
 Comoditjes deffendants as in said || Information || Reference thereto  
 being had amply Appeareth The Action was Called the Information  
 was Read m<sup>r</sup> George Hutchinson Appeared in Court & Affirmed &  
 owned the Tobacco<sup>s</sup> was his And after all the pleas  
 & evidences produced in Court by the plaintiff as  
 also by said Hutchinsons Attorney Thomas Norman  
 were Comitted to the Jury wch are on file The Jury  
 Brought in their virdict they found for the deffendant Costs of Court  
 The Court sent out the Jury once & Againe w<sup>th</sup> the Case further to  
 Consider of it at their Coming in Againe || they declared by their for-  
 man || they saw no cause to Alter their virdict as above ~~declared by~~  
~~their foreman for the deffendant~~ || but found || for the deffendant  
 Costs of Court

In the Case of Susannah Goodwin the wife of Edward Goodwin  
 humbly desiring that hir husband hauing wilfully de-  
 serted hir for seuen or eight yeares and left hir desti-  
 tute of all meanes of support for himself & children  
 as in hir petico<sup>n</sup> The Court Judgeth it meet to de-  
 clare she is set at libe<sup>ty</sup> & from him to marry w<sup>th</sup> another man

Ans to Susanah  
 Goodwin petico<sup>n</sup> &  
 hir diuorce there-  
 upon

~~this court~~ m<sup>r</sup> Jn<sup>o</sup> Joyliffe Cap<sup>t</sup> Tho Bratle m<sup>r</sup> Anthony stod-  
 dard Cap<sup>t</sup> Elisha Hutchinson m<sup>r</sup> Jn<sup>o</sup> Saffyn Capt Jn<sup>o</sup>  
 walley & Cap<sup>t</sup> Jn<sup>o</sup> ffaireweather returned as chosen by  
 y<sup>e</sup> Toune were Aprooued on by y<sup>e</sup> Court & tooke their  
 oathes as Comissione<sup>r</sup>s for Boston for y<sup>e</sup> yeare ensuing

7 Comissione<sup>r</sup>s  
 chosen

In Ans<sup>r</sup> to y<sup>e</sup> petico<sup>n</sup> of Sarah Coope<sup>r</sup> for a diuors Respitted till she  
 send to hir husband to informe him e<sup>r</sup> & his estate  
 secured for a convenient time =

Ans<sup>r</sup> to Sarah  
 Coope<sup>r</sup>s peti:

This Court is adjourned to the 16 Instant at 3 of the clocke

The Court mett at the time e<sup>r</sup> and Adjourned to the 23 of Instant at 3 of y<sup>e</sup> clock

vpon the Complaint of Thomas walters the Go<sup>u</sup>no<sup>r</sup> & magis<sup>ts</sup> doe declare that the sajd walters rendering estate f<sup>o</sup>r the sattisfaction of the execution the officer ought to levy the execution vpon the same as the law directs and the sajd walters performing the same he shall be released from Prison the officer causeing it to be apprizd as mony according to lawe — y<sup>e</sup> was thus past 16 october following by all y<sup>e</sup> magis<sup>ts</sup> except m<sup>r</sup> saltonstall m<sup>r</sup> Russell & is here entred being a vacant place as Attests E R S

Courts declaration  
or order as To Tho  
walter execution  
Go:  
16<sup>th</sup> october 1680 DG  
DD  
ET  
WS  
JD  
PB  
HD  
WB  
TS  
JE  
PT  
\*JH

The Court is Adjourned to the 23 Instant at 3 of the clock in y<sup>e</sup> afternoone

The Court met at the time The Court Considering that no owno<sup>r</sup> Appeared for to lay clajme to the 50 hogsheads of tobacco e<sup>r</sup> and nine barrells till the last day of the Court The Court Judged it meete to order (seuerall difficulties appearing in the Case) that m<sup>r</sup> George Hutchinson who Claymes the sajd tobacco e<sup>r</sup> entring into bond of two hundred pounds w<sup>th</sup> sufficient sue<sup>t</sup>jes to respond the Judgment of any of his majtjes Courts in this Jurisdiction in Case of further Complaint & prosecution w<sup>th</sup>in one yeare of this date for & Concerning the sajd tobacco<sup>e</sup> e<sup>r</sup> the sajd tobacco<sup>e</sup> e<sup>r</sup> on such bond given to be deliuered to the sajd Huchinson he discharging the warehouse for the same —

Courts order about  
y<sup>e</sup> 50 hogds of  
to be dd to m<sup>r</sup>  
Hutchinson in  
Case e<sup>r</sup>

Whereas the Honno<sup>u</sup>able George Russell Esq<sup>r</sup> is Convicted by his owne Confession before the Gouverno<sup>r</sup> & seuerall of the magistrates of Comitting fornication with mary Pemberton is fined tenn pounds mony as a fine to y<sup>e</sup> County of Suffolke to be presently payd & that he Give || in || security to value of ~~one hundred pounds~~ of † fuety pounds mony to secure this Toune of Boston & county from damage as to main-

Courts order as  
to Georg Russell  
Esq<sup>r</sup> his Crime:

\* These initials stand for Daniel Gookin, Daniel Dennison, Edward Tyng, William Stoughton, Joseph Dudley, Peter Bulkley, Humphrey Davy, William Browne, Thomas Savage, John Richards, Peter Tilton, and John Hull, as appears from the lists of magistrates in other places in the record.

† "of" repeated in the record.

tenance of the child \* or that he Giue security to value of one hundred pounds that he Appeare before the nex' County Court to Ans' for his sajd Crime & Abide y<sup>e</sup> sentenc of the Court —

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1680

16 & 18 Sep<sup>r</sup> 1680Capt Laurence  
Comitt<sup>s</sup>

Capt Laurence Complain<sup>d</sup> on for Affronting the  
Go<sup>o</sup>no's war'ant & shooting at the boate & men in it  
the kings Jack being thereon *er* = The Court sen-  
tenc<sup>t</sup> him to be Comitted to prison there to remajne  
sufficiently secured till he Giue his oune bond in a thousand pounds &  
two sufficient sue'tjes in 500<sup>li</sup> a peece starling mony on Condition  
y<sup>t</sup> sajd Laurenc personally Appeare & Answer what shall be lajd to  
his Charge & Abide the sentence of the Court w<sup>th</sup>n two moneths ==

Nehemiah pearce †  
his fine Remitted  
him ==

The Court Remitted to him † the halfe of his  
fine

It is ordered that the ship Edward & Ann belonging to m<sup>r</sup> Nicholas  
Paige now Ready to saile be Imbargued till munday next to accompany  
the Honno'ble the Lord Culpepper in his ship now  
also bound to sayle for England ==

At An Adjourn<sup>t</sup>  
16 Sep<sup>r</sup> 1680

¶ In Ans' to y<sup>e</sup> peti<sup>o</sup>n of stephen Butler The Court Court † ordered  
a Respitt of y<sup>e</sup> execucion ag<sup>t</sup> him till the end of the nex' Generall  
Court in october nex' as is desired Attest E R S. ¶

present.  
Symon Bradstreet Esq<sup>r</sup> Go<sup>o</sup>  
Tho Danforth Esq<sup>r</sup> dep<sup>t</sup>

At the Court of Assistants on Adjournment  
1<sup>st</sup> of octobe<sup>r</sup> 1680

Richd Saltonstall  
Daniel Gookin  
Edw<sup>d</sup> Tyng  
w<sup>m</sup> Staughton  
~~Joseph Dudley~~ ¶  
Peter Bulkley  
Humphry Davy  
Thomas Sansg  
John Hull

Go<sup>o</sup>Esq<sup>s</sup>

Jurymen Returnd  
to serve on this  
Jury & Sworne  
were  
— — —

¶ The Jury Insisting on Caution for their  
charges the Court ordered the plaintiff to put in  
tenn pound. ¶

Edward Randolph Esq<sup>r</sup> Collector *er* by his  
Information bearing date 30<sup>th</sup> of September 1680  
plaintiff as in his ¶ s<sup>d</sup> ¶ Information referenc  
thereto being had may § Amply Appeareth plaintiffe  
against steven Clay m<sup>r</sup> & Comande<sup>r</sup> of the Good ship  
Called the Batchello's Delight of london seized on by

\* The rest of this paragraph appears to have been written later, when the marginal entry was made.

† Nehemiah Pearce, as appears by the margin.

‡ "Court" repeated in the record.

§ Error in the record for "more."

the said m<sup>r</sup> Randolph as forfeited to his majty *et*  
the Case was Called the plaintiff & deffendant both  
Appeared the Information & other evidences in the  
Case produced were read Comitted to the Jury & are  
on file the Jury brought in their virdict they found  
for the defendant Costs of Court:

m<sup>r</sup> Richard Middlecot  
Thomas Bligh sen<sup>r</sup>  
Richard Bulkley  
John olliver  
|| Rich<sup>d</sup> Crispe ||  
Anthony Hayword  
John Parmiter  
John winslow  
Samuel Ballard  
Thomas Addams  
Timo. Cutler  
Stephen Cadman  
— — — —

The Court Allowed the Jury forty eight shillings  
for their charge & expenc & the Remainde<sup>r</sup> seven  
pounds twelue shilling<sup>s</sup> to be deliu<sup>d</sup> to m<sup>r</sup> Randolph  
Againe wch was don<sup>n</sup> =

The Secretary is ordered that henceforth where any pers<sup>on</sup> shall  
obteyne an order from the Go<sup>o</sup>no<sup>r</sup> for the sumoning of the magis<sup>tr</sup> to  
meete in Court of assistants & of a Jury for the tryall of any Case the  
secretary before he grant warrant for the sumoning a Jury shall re-  
quire of the plaintiffe tenn pounds in money as Caution to respond the  
charges of said Court and when the Court is ended and the charges of  
the Court is payd the remainder shall be returned if any be to the said  
Plaintiffe Provided alwayes It shall be lawfull for any plaintiff in any  
maritime case or any other that shall prosecute the  
same in any stated Court of Assistants or County  
Court that shall prosecute the same paying only  
tenn shillings for the tryall thereof as hath binn  
customary =

order for y<sup>e</sup> secret. to  
take 10<sup>li</sup> Caution be-  
for he summon<sup>e</sup> a  
Jury —  
— — — —

Josiah Cobbham Acknowledged himself his heires execcuto's &  
Adm<sup>in</sup>strato's bound in sixty pounds starling mony to James Russell  
Esq<sup>r</sup> Tresure<sup>r</sup> of y<sup>e</sup> Country on this Condition that he shall & will Ap-  
peare before such Court or Courts as shall take Cognizance of the Case  
and Answer what shall be layd to his \* charge by m<sup>r</sup> Edward Randolph  
in & about the Sloope<sup>s</sup> Carrying of Goods aboard Cap<sup>t</sup> Laurence his  
ship Contra'y to the Act or Acts of Parljam<sup>en</sup>t & abide their Judgment  
this thus donn by orde<sup>r</sup> of y<sup>e</sup> dep<sup>t</sup> Go<sup>o</sup>no<sup>r</sup> in Boston 21 octo<sup>b</sup> 80

as Attests

Edw<sup>d</sup> Rawson Sec.

A warrt was signed to m<sup>r</sup> Randolph or Dani Mathews *et*

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\* Written over "this."

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1680

[The following paragraph is inserted at the upper edge of the page.]

2<sup>d</sup> octobe<sup>r</sup> 1680 In Ans<sup>r</sup> to Peter Laurenc peticon It is ordered y<sup>t</sup> his fine be remitted to 20<sup>li</sup> & paying 10<sup>li</sup> in mony & giving security his oune bond for y<sup>e</sup> other tenn pounds to y<sup>e</sup> Tresurer at his returne in like siluer E R S

present  
Symon Bradstret  
Esq<sup>r</sup> Go<sup>vt</sup>

Att a Court of Assistants or Admiralty held at  
Boston in New England 18<sup>th</sup> of novemb<sup>r</sup>

Daniel Gookin  
Edw<sup>d</sup> Tyng  
W<sup>m</sup> Stoughton  
Joseph Dudley  
Humphry Davy  
Tho Sausage  
Jn<sup>s</sup> Richards  
John Hull  
— — —

(19) — 1680 —

John Bouland mate of \* the good ship called the Ann & Hester of London by his libell & complaint exhibbited to this Court bearing date the 16<sup>th</sup> of Novembe<sup>r</sup> plaintiffe against ffancis Branson master & Comander of sajd ship together with sajd ship hir tackle & Apparrell deffendant for that the sajd ffancis Branson master of sajd ship aforesajd refused & still doth refuse to pay vnto the sajd Bowland his just wages to the full some of thirty eight pounds in mony after the rate of three pounds five shillings p<sup>r</sup> moneth for service by him donne & performed in sajd ship *or* as in the sajd libell ¶ & ¶ Attachment ~~pleas & evidences~~ reference thereto being had may Appeare After the libell Attachment pleas & evidences made & produced before the Court were heard & read The Court declared & Adjudged that It Appeared this was not the seccond deliuary Port & so wages not due & decreed that the plaintiffe pay the deffendant Costs of Court nineteen shillings and sixe pence

Bowland vsus Branson.

Henry Basset Boatswayne Zackeriah Lauter Carpenter Richard Butcher Gunner Jasper Eve Richard Odling George fisher Samuel Rochford Benjamin Whittenhall & symon Thomas marrine's of the ship Ann & Hesther of London by their libell & Complaint exhibbited to this Court bearing date 16<sup>th</sup> of Instant November plaintiffs against ffancis Branson master & comāder of sajd ship together therewith the sajd ship deffend<sup>t</sup> ffor that he the sajd ffancis Branson master &

Henry Basset &  
mariners p<sup>ts</sup>. ag<sup>t</sup>  
ffrancis Branson  
deffend<sup>t</sup>

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\* "mate of" written over "by his libell."



Comande<sup>r</sup> of sajd ship ~~together w<sup>th</sup> the sajd ship~~ ¶ Refuseth and still doth ¶ refuse to pay vnto them their seuerall wages according as is exprest in their libell on Complaint amounting to the summe of one hundred & sixty sixe pounds or thereabouts for their seuerall wages donn & performed by them in sajd ship as in their sajd libell or Complaint is declared reference thereto being had Amply may Appeare — After the libell with Attachment pleas & evidences made in the Case were heard read and perused The Court declared & Adjudged that this was not the second Port of deliuery and so their wages was not due and therefore decreed that the plaintiffe pay the deffendant his costs twenty sixe shillings money —

Thomas Tompkins Boat swajne xtian Bowles John Ansley & John Tompkins seamen belonging to the ship called the Resolution of London by their libell & complaint bearing date the 17 of novembe<sup>r</sup> 1680 plaintiffe ag<sup>t</sup> Cap<sup>t</sup> Richard Cobb ¶ m<sup>r</sup> ¶ of the sajd ship together w<sup>th</sup> sajd ship deffend<sup>t</sup> for that he the sajd Richard Cobb master & Comānder as afores<sup>d</sup> hath refused to pay them their seuerall wages for their services performed in sajd ship

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1680

as in their sajd libell reference thereto being had more Amply may appeare — After the libell Attachment evidences & pleas made read & heard before the Court the Court declared they Adjudged for the deffendant & decreed the plaintiff should pay the deffendant his Costs of Courts —

Att a Court of Assistants or Admiralty held at  
Boston in New England 2<sup>d</sup> decem 1680

Thomas Stevens Boateswayne Richard milson Gunne<sup>r</sup> and Thomas Longworth marrine's belonging to the Good ship Called the George of Bristoll by their libell & Complaint exhibbited to this Court plaintiffe against Samuel Isaac master & comānder of sajd ship together with sajd ship deffend<sup>t</sup> for that he the sajd Samuell Isaac master e<sup>r</sup> refused & still doeth refuse to pay them their seuerall<sub>1</sub> amounting in the whole to forty nine pounds fowerteene shillings or thereabouts not w<sup>th</sup>standing his promise

present  
Symon Bradstreet  
Esq<sup>r</sup> Go<sup>d</sup>  
Tho. Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>d</sup>  
Daniel Gookin  
Edw<sup>d</sup> Tyng  
w<sup>m</sup> staughton  
Joseph Dudley  
Humphry Davy  
John Richards  
John Hull  
James Russell  
— — — —

steuens & marrins  
 plt agt Samuel Isaac  
 deff<sup>r</sup> m<sup>r</sup> of ship reso-  
 lution \*  
 to cleare them in New England their seuerall wages  
 as in said libell reference thereto being had more  
 Amply do<sup>th</sup> & may Appeare After the libell Attach-  
 ment pleas & evidences made & produced were heard  
 e<sup>r</sup> the Court declared they Adjudged that the plaintiffe<sup>s</sup> pay the  
 deffendant his Costs i: e seventeene shillings & sixpence

Cap<sup>t</sup> steeven Clay master & Comander of a ship in the Harbor  
 by his libell & Complaint bearing date 29<sup>th</sup> of november 1680 plaintiff  
 against m<sup>r</sup> Daniel Turell se<sup>n</sup>d deffend<sup>t</sup> in an Action of  
 the Case for that the said Turell buying a ship of him  
 as she lay at charls Toun at Gree[n]es wharfe for  
 forty pound mony refused and still doth refuse to pay  
 him the said clay for the same as in the said libell reference thereto  
 being had more at large doeth & may Appeare After the libell Attach-  
 ments & deffendants Answer pleading for a non suite was read & duely  
 Considered of by the Court the Court Adjudged that the plaintiffe  
 was non suited =

Att A Court of Assistants or Admiralty held at Boston | in N  
 Engld | 9<sup>th</sup> of Decembe<sup>r</sup> 1680

~~w<sup>m</sup> kelso-chirurgion-~~

[123]

1680

9<sup>th</sup> decembe<sup>r</sup> 1680

w<sup>m</sup> Kelso chirurgion of ship Ann & Hesther of London by his  
 libell & Complaint exhibbited to this Court bearing  
 Kelso ag<sup>t</sup> Branson date the 4<sup>th</sup> of Decembe<sup>r</sup> 1680 plaintiff against francis  
 Branson master & Comander of said ship together w<sup>th</sup> said ship  
 deffendant for that he the said master hath Gonne beyond his powe<sup>r</sup> &  
 authority in tirannically & most cruelly beating and abusing him aboard  
 said ship for no other reason but because he would not doe the office of  
 a cooke not being bound thereto & shipt only for his chirurgeon Calling  
 a Council of warr vpon him and dischardging him of his place thô he  
 offered to hire one to p<sup>r</sup>forme the Cooks office pretending his Cruell  
 vsage of him was his Jealousy that he should report of his bull bayting  
 & fishing on the Lords Day and refusing to pay him his wages & cleare  
 him he being Justly afraid of his life as in his libell reference thereto

\* Error of the Secretary for "The George of Bristol."

being had more Amply doth & may Appeare After the libell Attachment and evidences in the Case produced were read & duely Considered of The Court declared they Adjudged for the plaintiffe & decreed that he be freed from the ship and that the deffendant pay the plaintiffe all his wages abating only for sixe weekes wch Comes to in all nineteene pounds fueteen shillings & sixe pence || starling money of England || as also paying the Costs of the Court fowe' pounds fueteene shillings & sixe pence this Country money

John Bowland mate of the Good ship called the Ann & Hester of London by his libell & Complaint exhibbited to this Court bearing date the 1<sup>st</sup> of December 1680 plaintiffe against ffancis Branson master & Comander of the said shipp together with the said ship deffendant for that he the said francis Branson master = refused and still doeth refuse to pay him his Wages notwithstanding his performance of his said service in said ship and his particular promise besides past in the Isle of may in June last \* at his the said Boulands arrivall in New England and being Agrieved he would pay him his wages and cleare him of his service from the said ship as in said libell reference thereto being had Amply doth and may Appeare After the libell Attachment and evidences in the Case produced were read and duely Considered of the Court declared that they Adjudged the plantiffe to pay the deffendant his Costs  
30 october 1680  
twelue shillings

Bouland ag<sup>t</sup> ffancis  
Branson

[The following paragraph is written on the lower edge of the page.]

The Goũno' & magists met in a Court of Assistants & ordered in Ans<sup>r</sup> to the peticon of Georg Hutchinson that any orde<sup>r</sup> formerly notw<sup>th</sup>standing if the said Georg Hutchinson shall w<sup>th</sup> his sue<sup>t</sup>j'es enter into bond of one hundred, to respond the Judgment of any of his majtes Courts in this Colony once within a yeare of this date in Relation to y<sup>e</sup> sd Tobacco then the sd Bond to be voyd =

Ans<sup>r</sup> to m<sup>r</sup> Georg  
Hutchinson

[124] 1680

At A Court of Assistants or Admiralty held at Boston || in N Eng || 24<sup>th</sup> of December 1680

present  
Tho. Danforth Esq<sup>r</sup>  
Dep<sup>t</sup> Goũ  
Richd Saltonstall  
Daniel Gookin

Edward Randolph esq<sup>r</sup> Collecto<sup>r</sup> of his Majestjes †

\* The word "that" apparently was omitted here by the Secretary.

† Written over "or" by his.

W<sup>m</sup> Staughton  
Joseph Dudley  
Peter Bulkley  
Humphry Davy  
Tho Sauage  
J<sup>ns</sup> Richards  
John Hull  
James Russell  
— — — —

persons Returnd  
to serve on the  
Jury & Sworne  
were =  
— — — —

m<sup>r</sup> Thomas Jenner  
W<sup>m</sup> Gilbert  
John Foy  
Stephen Burton  
Thomas Moore  
James Loyd  
Thomas Berry  
Thomas Jolls  
Sam Ballard  
Joseph Newell  
Stephen Cadman  
John Knight  
— — — —

Customes in New England & by his Information or  
lybell plaintiffe against Timothy Armitage master of  
the Good ship Called the two siste's of Boston defend-  
ant as in the said Information or libell reference  
thereto being had more Amply doth & may Appeare  
After the evidences in the Case produced were read  
Comitted to the Jury w<sup>ch</sup> are on file w<sup>th</sup> the reccords  
of this Court the Jury brought in their virdict they  
found for the deffendant costs of Court =

Edward Randolph Esq<sup>r</sup> Collecto<sup>r</sup> & by his Com-  
plaint exhibbited to this Court plaintiff prosecuting  
T[i]mothy Armitage master of ship two siste's vpon  
breach of the act of the fowe'teenth of the king for  
Affronting & disturbing him the sajd Edward Ran-  
dolph in prosecution of his trust & office After the  
evidences in the Case produced were read & the  
Court Judged it meete to sentence the sajd Timothy  
Armitage to pay as a fine forty pounds money \* &  
stands Comitted till this sentence be performed

Edward Randolph Esq<sup>r</sup> Collecto<sup>r</sup> & by his libell & complain'  
plaintiff ag<sup>t</sup> John Huling master of the ship Called the maydenhead  
together with the sajd ship defendant as in sajd libell & Complaint  
reference thereto being had Amply doth & may Appeare After the eu-  
dences in the Case produced were read & Comitted  
to the Jury the Jury brought in their virdict they  
found for the deffendant Costs of Court all wch is on  
file w<sup>th</sup> the Reccords of this Court =

m<sup>r</sup> Randolphs & †  
Cases on y<sup>e</sup> & the  
other side =  
— — — —

Edward Randolph Esq<sup>r</sup> Collecto<sup>r</sup> of his maj'ties Customes in New  
England by his libell and Complaint plaintiff against the Barque  
Called the Gift of God and the master thereof as in sajd libell refer-  
ence thereto being had doth and may Appeare John Brock master of  
sajd barque or ship being in Court by Consent this Ac<sup>on</sup> proceeded  
the evidences in the Case produced were read = The Court declared  
|| y<sup>t</sup> || their sence is that in and from all distinct places & Governments  
entries must be made by all straining's but It Appearing that the sajd  
vessell had entred at the Prouince of majne & cleered as the acts of

\* Written over the word "fine."

† Written over "4."

trade require & that shée brought hither neither European nor \* Plantation Goods doe order hir now to make entry heere as the law provides & pay the plaintiffe five pounds Costs & office's fees =

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1680

1681

Edward Randolph Esq<sup>r</sup> Collecto<sup>r</sup> e<sup>r</sup> by his libell & Complaint plaintiff ag<sup>t</sup> two hogsheads of Irish yarne e<sup>r</sup> in the hands of Joseph Harding deffendant as in sajd Libell reference thereto being had more Amply doth & may Appeare The Evidences in the Case were read & Comitted to the Jury who brought in their virdict they found for the deffendant Costs of Court = eight shillings

Edward Randolph Esq<sup>r</sup> Collecto<sup>r</sup> e<sup>r</sup> by his libell & Complaint plaintiffe against ship expedition & samuel Lugg master thereof deffendant as in sajd Lybell reference thereto being had more Amply doth and may Appeare After the evidences in the Case produced were read Comitted to the Jury and are on file The Jury brought in their virdict they found for the deffendant Costs of Court =

Francis Branson Comander of ship Ann & Hester by his libell and Complaint plaintiffe against w<sup>m</sup> kelso Chirurgion by way of Revejw of an Action trjed at the Court of Assistants or Admiralty on the ninth Instant as in sajd libell & Courts Judgment reference thereto being had Amply doth & may Appeare After the libell & evidences in the Case produced were read ~~Comitted to the Jury~~ & are on file with the Reccords of this Court The Court declared that they Judged It meete to order the plaintiff to pay the deffendant his Costs three pounds sixteene shilling<sup>s</sup> & sixe pence =

at y<sup>e</sup> same Court  
without a Jury was  
tried & Issued y<sup>e</sup>  
Case betweene  
Francis Branson &  
w<sup>m</sup> kelso on Revejw

[The two following records of Admiralty Courts were evidently entered out of their chronological order.]

Att a Court of Assistant Called & summoned to sitt in Boston 17<sup>th</sup> of June 1681

Tho Gretian master of the Pincke Expectation by his libell & Complaint exhibbited to this Court [and] by his Attachment Bearing

or Admiralty

present

symon Bradstreet Esq<sup>r</sup> Go  
Tho Danforth Esq<sup>r</sup> dep<sup>t</sup> Go<sup>d</sup>  
Daniell Gookin mj<sup>r</sup> Gen<sup>l</sup>  
w<sup>m</sup> Stoughton  
Joseph Dudley

\* Written over the word "Goods."

Humphry Davy  
Tho Sauage  
J<sup>r</sup> Richards  
J<sup>r</sup> Hull  
Samuel Nowell  
James Russell  
— — — —

Esq<sup>m</sup> date the 10<sup>th</sup> Instant plaintiff against Josiah Torrey deffendant for that the said Torrey refuseth to pay vnto the said Gretian the sume of twenty seven pounds fiuteene shillings & seuen pence money due for disbursements and

wages vpon his eighth part of the said Pincke for seuerall voyages as p an Account given the said Torrey march 21 (1680) & by the libell dated as aboue & othe<sup>r</sup> evidences may Appeare *c<sup>r</sup>* After the said libell & Attachment dated as aboue w<sup>th</sup> the other evidences produced were Read ~~Comitted to the Jury~~ and duely Considered of by the the \* Court the Court declared they Adjudged for the deffend<sup>t</sup> & Granted him Costs of Court eight shilling<sup>s</sup> & six penc =

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1681

Thomas Gretion master of the Pinck expectation by his libell & Complaint exhibbited to this Court as also by his Attachment dated the 10<sup>th</sup> Instant June Refferenc thereto being had plaintiff ag<sup>t</sup> Barnard Shinchinke merchant & particularly ag<sup>t</sup> his y<sup>e</sup> said Shinchinks  $\frac{2}{3}$  parts of said Pinck expectation and all hir Appurtenances Attached to value of two hundred pounds to Respond his said Comptt for that the said Shinchink hath no<sup>t</sup> payd the said Gretion one hundred & seuen pounds nine shillings & nine penc in mony due for wages and disbursments vpon the said ship or Pincke for seuerall voyages as p the said libell bearing date date<sup>†</sup> as aboue & by the Account of the same date &

y<sup>e</sup> deffend<sup>t</sup> called  
but not Appearing  
sumons being left  
at his last place of  
Aboud m<sup>r</sup> Rocks as  
Returnd =

othe<sup>r</sup> evidences may appeare *c<sup>r</sup>* || y<sup>e</sup> defend<sup>t</sup> was Called but not Appeared sumon<sup>s</sup> left at his last abroad m<sup>r</sup> Joseph Rock as Returnd || After the libell Attachment Account & othe<sup>r</sup> evidences produced were Read & duly Consid[ered] of by y<sup>e</sup> Court The Court Adjudged for the plaintiffe the balance in the Account

sworne to being one hundred & seue<sup>r</sup> pounds nine shilling<sup>s</sup> & nine penc mony & the chardg & Costs of Court wch Came to three pounds sixteene shillings & fowe<sup>r</sup> pence =

And It is ordered by this Court that Thomas Gretian giving sufficient security w<sup>th</sup> two sue<sup>t</sup>y<sup>s</sup> by bond to the Tresurer of the Country in two hundred & fowerteen pounds nineteen shilling & sixepenc || to || respond the Revejw or Reuersion of the action aboue by y<sup>e</sup> said Barnard Schinkink his heires Attur[n]ey or Agent recouering any Judgment in any Court of his majestjes in this Jurisdiction whin on yeare & a day from this time relating to what this day past : =

\* "the" repeated in the record.

† "date" repeated in the record.

Att a Court of Assistants or Admiralty held at Boston in New England the 4<sup>th</sup> of August 1681. and then Adjourned to the 11<sup>th</sup> Instant at three of the clock : when they Sat

Paul sharrot or Starast Leifteñn<sup>t</sup> & Cloice Pieterston mate of ship Salamande<sup>r</sup> a Prize belonging to the Great Prince the Duke of Brandenburg by their libell & Complaint exhibitted to This Court Dated the 2<sup>d</sup> of August 1681 plaintiff<sup>s</sup> agains<sup>t</sup> marcellus Cocke Captaine of sajd ship & sajd ship deffendant<sup>s</sup> for their wages i e Paul sharrot or starrast for a sixty five pounds sterling for sixteen month<sup>s</sup> and a halfe service and the sajd Cloice Pieterston for the sume of a sixty pounds for like service as in the sajd libell- reference thereto being had more Amply doeth & may Appeare — After the libell the Attachment & other evidences in the Case produced by the plaintiffs & deffendant (who both Appeared in Court) were read and duely Considered of by the Court they Adjudget for the deffendant Ordering the plaintiffs to pay the office's their fees out of their Caution, & the officer to Returne them the rest =

Paul sharrot or  
starast or ag<sup>t</sup>  
marcellus Cock  
Cap<sup>t</sup> of salamander

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1680

Att A Court of Assistants held at Boston the 1<sup>st</sup> of march 1680

m<sup>s</sup> Elizabeth Cooke executrix & m<sup>r</sup> Elisha Cooke excecuto<sup>r</sup> plaintiffe<sup>s</sup> in an Action of Appeale on Attaint of the Jury whereof m<sup>r</sup> Holliok was foreman = Aagainst \* Cap<sup>t</sup> James olliuer deffendant: from the virdict of the Jury at the last Court of Assistants After the Attachment the Courts Judgment & evidences in the Case produced were read Comitted to the Jury & are remayñg on file The Jury

ent. p Ellis.  
Cooke

brought in their virdict i e in the sajd Case depending between the s<sup>d</sup> m<sup>s</sup> Eliza: Cook & m<sup>r</sup> Elisha Cooke plaintiff and the Attorney<sup>s</sup> of Cap<sup>t</sup> James olliuer deffendants the Jury finds for the plaintiff seventy two pounds fueteene shillings and nine pence money & Costs of Courts

present  
Symon Bradstreet Esq<sup>r</sup> Go<sup>th</sup>  
Tho: Danforth Esq<sup>r</sup> dep<sup>t</sup> Go  
Richard Saltonstall  
Daniel Gookin  
Daniel Dennison  
w<sup>m</sup> staughton  
Joseph Dudley  
Nathaniel Saltonstall  
Humphry Davy  
Tho Sauage  
w<sup>m</sup> Broune  
John Richards  
J<sup>no</sup> Hull  
Samuel Nowell  
James Russell  
Bartholmew Gidney

Esq<sup>s</sup>

persons Returned to  
serve on y<sup>e</sup> Grand  
Jury & sworn were

m<sup>r</sup> John Blake  
Thomas Berry  
James Pemberton  
Tho Gardiner  
James strawbridge

\* So written in the record.

Nathaniel Sparhawk	seven pounds foweteen shillings & 4 <sup>d</sup> Reuersing the
Tobias Davis	former Judgment =
Phillip Torrey	
Robert Herrington	
Tho Tyleston sen <sup>r</sup>	w <sup>m</sup> wate's plaintiffe on Appeale from the Judg-
Tho Trott	ment or sentence of the County Court at Boston =
w <sup>m</sup> Dady	This Acc <sup>o</sup> n was w <sup>th</sup> draune by the plaintiff by leaue &
Jn <sup>s</sup> Heyman	licenc of the Cour <sup>t</sup> =
— — — —	

Thomas Hill plaintiffe against w<sup>m</sup> obbinson deffendant in an Acc<sup>o</sup>n of Appeale from the Judgment of the County Court in Boston = After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are remayning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendan<sup>t</sup> Confirmation of the former Judgment & Costs of Courts

1<sup>st</sup> Ju

Benjamin Balch plaintiff in an Action of Appeale from the Judgment of the last County Court at Ipswich against w<sup>m</sup> Dodge Jun<sup>r</sup> deffendant After Calling of y<sup>e</sup> Acc<sup>o</sup>n y<sup>e</sup> Case by Consent of partjes was referred to y<sup>e</sup> Bench who hearing the Attachmt Courts Judgment reasons of Appeale & evidences in the Case produced the Bench reuerst the former Judgment & Judged for the plaintiff granting him his Costs forty eight shillings —

Josiah Torrey plaintiff in an Action of Appeale from the Judgment of the County Court at Boston ag<sup>t</sup> Tho Gretian deffendant after the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict i e In this

persons returned &  
sworne to serve on y<sup>e</sup>  
Jury for Attaints  
were =

Cap<sup>t</sup> Rich<sup>d</sup> Sprague  
Richard Harris  
Adam Winthrop  
Tim<sup>s</sup> Armitage  
Jn<sup>s</sup> Scate  
Samuel Bridge  
Tim<sup>s</sup> Thornton  
Ambrose Dawes  
David Copp  
Sam<sup>l</sup> Gookin

Case the Jury finds for the plaintiff that the deffendant in thirty dayes shall give a Just & true Account of all disbursments vpon & earnings of the Pinck expectation according to Attachm<sup>t</sup> or pay two hundred pounds money to the plaintiff and Costs of Courts reuersing the former Judgment costs 3<sup>li</sup> = 02<sup>s</sup> & 4<sup>d</sup>.

Exec Issued

M<sup>r</sup> Joseph Rocke plaintiff against m<sup>s</sup> Sarah Franck deffendant in an action of Appeale from the Judgment of the County Court in Boston After the



Attachment Courts Judgment Reasons of Appeale &  
 Evidences in the Case produced were  
 Read Comitted to the Jury & are on  
 file w<sup>th</sup> the Reccords of this Court  
 the Jury brought in their virdict they found for the  
 deffend<sup>t</sup> Confirmation of the former Judgment & Costs  
 of Courts 2<sup>d</sup> 11. 10

Isaac Hill  
 Abra : Jackson  
 Daniel Brewer  
 Abrah How  
 Benj. Gamblin  
 Joseph Rise  
 Jn<sup>n</sup>than Broune  
 Samuel stearnes  
 Joseph sherman

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1680

George Carr Se<sup>n</sup> plaintiff in an action of Appeale  
 ag<sup>t</sup> Cap<sup>t</sup> Nicholas Paige deffend<sup>t</sup> from the Judgment  
 of the County Court at Salem After the Attachment  
 Courts Judgment Reasons of Appeale e<sup>r</sup> were read  
 the deffendant pleading for a non suite It was Granted

Timothy Tyleston  
 Henry Leadbetter  
 John Toleman  
 Daniel Preston  
 Tho. Jenner  
 — — — —  
 persons Returnd &  
 sworn to serve  
 on the 1<sup>st</sup> Jury of  
 Tryalls for Appeales  
 lye lymb e<sup>r</sup>  
 — — — —

Walter fairefeild plaintiff against Thomas Knowl-  
 ton deffendant in an Action of Appeale from the  
 Judgment of the last County Court at Salem after the  
 Attachment Courts Judgment Reasons of Appeale  
 and evidences in the Case produced  
 2<sup>d</sup> Jur were read Comitted to the Jury and  
 are on file the Jury brought in their virdict they found  
 for the plaintiff reuersion of the former Judgment &  
 Costs of Courts. —

1<sup>st</sup> Jur  
 Cap<sup>t</sup> Richard  
 Sprague  
 Jn<sup>e</sup> Conney  
 Solomon Phipps  
 Jn<sup>e</sup> Parmiter  
 Samuel Gookin  
 Samuel Bridge  
 Abraham Jackson  
 Joseph Rise  
 Samuel Stearnes  
 John Scates  
 Abraham How  
 Ambrose Daves\*  
 — — — —

Joseph Holmes Attorney & substitute of James  
 mathews of new Yorke plaintiff against John Keene  
 deffendant in an Action of Appeale from the Judgm<sup>t</sup>  
 of the County Court in January last at Boston —

After the Attachment the Courts  
 1<sup>st</sup> Jur Judgment Reasons of Appeale &  
 evidences in the Case produced were Read Comitted  
 to the Jury and are on file w<sup>th</sup> the Reccords of this  
 Court the Jury brought in their virdict In the Case  
 depending betweene Joseph Homes substitute of Jn<sup>e</sup>  
 dafforne Attorney to James mathews plt & John  
 Keene deffend<sup>t</sup> the Jury finds for y<sup>e</sup> deffendant Con-  
 firmation of the forme<sup>r</sup> Judgment the deffend<sup>t</sup> paying

persons Returnd &  
 sworn to serve  
 y<sup>e</sup> 2<sup>d</sup> Jury of trialls  
 for Appeales lye  
 Limbe e<sup>r</sup>  
 Cap<sup>t</sup> Richard Woody  
 John Toleman  
 Daniel Copp  
 Isack Hill  
 Daniel Brewer  
 Benja Gamblinn  
 Jonathan Browne  
 Henry Leadbetter  
 Daniel Preston  
 Joseph sherman

\* Or Dawes.

Timothy Tyleston      the plaintiff thirty five shillings money & Costs of  
 Timothy Thorn-      Courts \* —  
 ton =

— — — —

George Speere plaintiff against Peeter Bracket  
 deffend<sup>t</sup> in an action of Appeale from the Judgment  
 of the County Court at Boston: the plaintiff w<sup>th</sup> drew his Accon hauing  
 leaue from the Court so to doe —

Tho Gretian plaintiff against Stephen Sweathy deffendant in an  
 Accon of Appeale from the Judgment of the County Court at Boston  
 in January last after the Attachment Courts Judgment Reasons of  
 Appeale & evidences in the Case produced were read Comitted to the  
 Jury and are on file w<sup>th</sup> the Records of this Court the Jury brought in  
 their virdict = the Jury found for y<sup>e</sup> deffendant Confirmation of the  
 former Judgment & Costs of Courts = The plaintiff  
 Gretian ag<sup>t</sup> sweathy      in open Court said he did Attaint the Jury || whereof  
 1<sup>st</sup> Jury      Cap<sup>t</sup> Rich<sup>d</sup> sprague was foreman || for erro's & mis-  
 Cloathes      takes and accordingly Tho. Gretian principle & An-  
 thony Checkly & Nathaniel willjams his sue'tjes acknowledged them-  
 selues Bound in tenn pounds a peece to the Tresure<sup>r</sup> of the Country on  
 Condition that said Thomas Gretian shall prosecute this his Attaint at  
 the nex<sup>t</sup> Court of Assistants to effect as y<sup>e</sup> law Requires from y<sup>e</sup> virdict  
 of the Jury whereof Cap<sup>t</sup> sprague was foreman

Steve<sup>n</sup> Sweatie † plaintiff ag<sup>t</sup> Thom<sup>s</sup> Greetian ‡  
 steph<sup>n</sup> sweathy pitf      deffend<sup>t</sup> in an Action of Appeale from the Judgment  
 of the County Court at Boston in Jan<sup>u</sup>ry last After the Attachment  
 Courts Judgment Reasons of Appeale & evidences in  
 1<sup>st</sup> Jury      the Case produced were read Comitted to the Jury  
 for wages      and are on file the Jury brought in their virdict  
 Idem uersus Idem      i e they found for the plaintiff Reuersion of the  
 former Judgment and seunteene pounds sixteene shillings sixe pence  
 mony & Costs of Courts the ~~plaintiff~~ || deffend<sup>t</sup> || Attainted the Jury  
 || whereof Cap<sup>t</sup> Rich<sup>d</sup> sprague was forman || for errors & mistake<sup>s</sup> &  
 Accordingly Tho Gretian principle & Anthony checkly & nathaniel

\* This verdict is on file and agrees with the record.

The appeal is from the judgment (or verdict) of the County Court in an action of Review  
 Jan. 25, 1680-1, when a verdict was rendered for Keen for "26<sup>li</sup> 5<sup>s</sup> 9<sup>d</sup> in money and costs of Court."

The apparent anomaly in the verdict at the Court of Assistants may perhaps be explained as  
 the result of an adjustment, there being several actions pending between the same parties. See  
 Court Files, Suffolk Nos. 1827 and 2062.

† Written over "Tho Gretian."

‡ Written over "Stephen Sweathy."

willjams his sue'tjes aknowledged themselves jointly & seuerally bound in tenn pounds apeece to y<sup>e</sup> Tresure' of the Country as aboue on this Condition that said Gretian shall psecute this his Attaint at y<sup>e</sup> next Court of Assistants to effect ag<sup>t</sup> said Jury whereof Cap<sup>t</sup> sprage was foreman —

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1680

Thomas Gretian plaintiff ag<sup>t</sup> Roger stayno<sup>r</sup> 1<sup>st</sup> Jur  
deffend' in an action of Appeale from the Judgment  
of the County Court in January las<sup>t</sup> After the Attachment Courts  
Judgment Reasons of Appeale & evidences in the Case produced were  
read Comitted to the Jury & are on file The Jury  
declard they found for the deffendant Confirmation of Gretian ag<sup>t</sup> staintor  
the former Judgment & twenty two shillings more money & costs of  
Courts The plaintiff Tho Gretian In open court Attainted the Jury for  
erro's & palpable mistakes & Accordingly said Tho Gretian principle  
& Anthony cheeckly & Nathaniel willjams his sue'tjes acknowledged  
themselves Jointly & seuerally bound in tenn pounds a peece to the  
Tresure' of the Country on y<sup>e</sup> Condition that sd Tho. Gretian prosecut  
this his Attain' of the Jury to effect

Idem Idus Idem on Appeale from the Judgment of the County  
Court at Boston in January last After the Attachment Courts Judg-  
ment reasons of Appeale & evidences in the Case produced were read  
Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of Gretian ag<sup>t</sup> staintor  
this Cour<sup>t</sup> the Jury brought in their virdict they found  
for the Deffendant Confirmation of the former Judgment & Costs of  
Courts the plaintiff Attainted the Jury and said Thomas Gretian  
principle & Anthony cheeckley & Nathaniel willjams his sue'tjes ac-  
knowledged themselves joyntly & seuerally bound in tenn pounds  
a peece to the Tresurer of the Country on this Condicion that said  
Gretian shall prosecute this his Attaint of s<sup>d</sup> Jury at the nex<sup>t</sup> Court of  
Assistants to effect —

Richard Collecot & nathaniel Greenwood plaintiff ag<sup>t</sup> John How  
deffendant in an Action of Appeale from the Judgm<sup>t</sup>  
of Ipswich County Court After the Attachment  
Courts Judgment Reasons of Appeale & evidences  
in the Case produced, comitted to the Jury & are on  
file the Jury brought in their virdict they found  
Collecot & How  
exec Issued out  
4 June 1681  
— — — —

for the plaintiffs Reuersion of the former Judgment & Costs of Courts 3<sup>u</sup> 3<sup>s</sup>

Robert knight plaintiff in an action of Appeale from y<sup>e</sup> Judgment of Ipswich Court ag<sup>t</sup> Sam: Leach & onesephirus Allen deffend<sup>t</sup> After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of y<sup>e</sup> Court the Jury brought in their virdict they found for the plaintiff reuersion of the forme<sup>r</sup> Judgment and the land in controuersy & Costs of Courts eight pounds fueteen shillings & tenn pence —

Knight ag<sup>t</sup> Leach  
cr

Playsted ag<sup>t</sup> Norton.

Jn<sup>o</sup> Playsted plaintiff against George Norton deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court at Boston After y<sup>e</sup> Attachment Courts Judgment Reasons of Appeale and evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiffe reuersion of the former Judgment & Costs of Courts eight pounds fueteene shillings & tenn pence — —

execution Issued  
out

Sam<sup>l</sup> & Jn<sup>o</sup> Bennet  
pl<sup>t</sup> ag<sup>t</sup> Leonard  
Douden & Tho  
Paddy —

¶ Sam<sup>l</sup> & Jn<sup>o</sup> Bennet plaintiff<sup>s</sup> against Leonard Douden\* deffendant in An action of Appeale from † the Judgment of the County Court at Boston, January last After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff<sup>s</sup> reuersion of the former Judgment & Costs of Courts

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yeales Os. Rose

Timothy Yeales plaintiff ag<sup>t</sup> Roge<sup>r</sup> Rose deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court at Boston After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury

\* By the papers on file it appears that the defendants in this action of appeal were "Leonard Dowden and Thomas Paddy, Administr<sup>r</sup> to the estate of William Paddy, dec<sup>d</sup>., as Assignees of Hudson Leverett."

† "from" repeated in the record.

brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts

Jn<sup>e</sup> Gifford plaintiff ag<sup>t</sup> Phillip Read deffend<sup>t</sup> in an action of Appeale frō the Judgment of the County Court at Boston — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> D<sup>r</sup> phillip Read Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts the plaintiff in open Court Attainted the Jury ffor erro<sup>r</sup>s & mistakes & accordingly John Gifford principle & John Joyliffe his sue<sup>ty</sup> Acknowledged themselues Jointly & seuerally bound in tenn pounds apeece to the Trespere<sup>r</sup> of the Country on this Condition that sajd John Gifford shall prosecute this his Attaint of y<sup>e</sup> Jury at the nex<sup>t</sup> Cour<sup>t</sup> of Assistants according to Law :

Gifford ag<sup>t</sup> Reade  
2<sup>d</sup> Jur

Attaint

Daniel Heinshaw\* plaintiff ag<sup>t</sup> Thomas voss deffendant in an action of Appeale from the Judgment of the County Court in Boston After the Attachm<sup>n</sup>t Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found a speciall virdict i e That if willjam Pond his originall deed w<sup>th</sup> his Assignment & Conveyance & fowe<sup>te</sup>n yeares possession be more valid in Law then Joseph Homes his latter deed to Thomas vosse now in Court then wee find for the plaintiffe the land now in Controuersy & Costs of Courts but if othe<sup>r</sup>wise wee finde for the deffendant Confirmation of the former Judgment & Costs of Courts || the Bench found for y<sup>e</sup> pl<sup>t</sup>ff Re<sup>u</sup>con of the form<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts three pounds thirteen shilling & eight pence (3: 13. 8. ||

Heinshaw ag<sup>t</sup> vosse

Joseph Joy || & Nath<sup>l</sup> Beale || plaintiff ag<sup>t</sup> Hudson Leueret deffendant in an Action of Appeale from the Judgment of the County Court at Boston in Jan<sup>u</sup>y last after y<sup>e</sup> Attachment courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict They

Joy & ag<sup>t</sup> Leueret

\* "Daniell Henshaw" in the original verdict on file.

found for the deffendant Confirmation of the forme' Judgment & Costs of Courts the plaintiff in open Court Attainted the Jury || for erro's & mistakes || & accordingly Joseph Joy & nathaniel Beale principles & Joshua Hubbard Ju<sup>n</sup> their sue'ty did acknowledg themselues Joyntly & seuerally bound in ten pounds apeece to the Tresurer of the Country on Condition that sajd Joy & Beale shall prosecut their Attaint at the nex' Court of Assistant[s] according as the law requires

Anthony cheeckley Attorney to Capt Joshua scottow plaintiff ||  
 Against Eliakim Hutchinson deffendt || in an action  
 cheeckly ag<sup>t</sup> of Appeale from the Judgment of the County Court  
 Hutchinson in Boston After the Attachment Courts Judgment  
 reasons of Appeale & evidences in the Case produced were read Com-  
 itted to y<sup>e</sup> Jury & are on file, the Jury brought in their virdict they  
 found in y<sup>t</sup> Case betweene m<sup>r</sup> Anthony cheeckley plaintiff & m<sup>r</sup> Elia-  
 kim Hutchinson deffendant the Jury finds for the deffendant fue  
 pounds three shillings nine pence mony || Re<sup>u</sup>sing y<sup>e</sup> form' Judgmen' ||  
 & costs of Courts

Richd Thayer plaintiff against majo<sup>r</sup> Thomas  
 1<sup>st</sup> Jury Sauage deffendt in an Action of Appeale from the  
 Thayer ag<sup>t</sup> Judgment of the County Court at Boston After y<sup>e</sup>  
 m<sup>r</sup> Savage Attachment Courts Judgment Reasons of Appeale &  
 Attaint evidences in the Case produced were read Comitted to  
 - - - - y<sup>e</sup> Jury & are on file. In the Case depending be-  
 tween Richard Thayer plaintiff & majo<sup>r</sup> Thomas sauage deffendant  
 The Jury finds for the deffend' Confirmation of the forme' Judgm<sup>t</sup> &  
 Costs of Courts Rich<sup>d</sup> Thayer in open Court Attainted the Jury for  
 erro's & mistakes & accordingly Rich<sup>d</sup> Thayer principle & Nath. Thayer  
 & Jn<sup>o</sup> Pittom his sur'tjes acknowledged themselues Jointly & seuerally  
 bound in tenn pounds a peece to y<sup>e</sup> Tresurer of y<sup>e</sup> Country on condition  
 y<sup>t</sup> sajd Richd Thaje<sup>r</sup> shall prosecute this his Attaint at y<sup>e</sup> next Court  
 of Assistants as y<sup>e</sup> law requires

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Richard Thayer plaintiff against Cap<sup>t</sup> Roger Clap  
 1<sup>st</sup> Jur deffendant in an action of Appeale from the Judg-  
 Thayer ag<sup>t</sup> Clap ment of the County Court in Boston after the Attach-  
 ment courts Judgment Reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reco-

cords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts

John Richards plaintiffe against Josiah witter deffendant in an action of Appeale from the Judgment of the County Court at Ipswich after the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the former Judgment & Costs of Courts three pounds tenn shillings

Richards ag<sup>t</sup>  
witter =

execut: Issued out  
19 . Apr . 82 . for  
3<sup>u</sup> 10<sup>s</sup>

m<sup>r</sup> Jn<sup>o</sup> Saffyn plaintiff against m<sup>r</sup> Robe<sup>t</sup> Holt deffendt in an Accon of Appeale from the Judgment of the County Court at Boston After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the former Judgment & Costs of Courts fiuety fower shilling & two pence =

Saffyn ag<sup>t</sup> Holt  
2 Jur

The voss: plaintiff ag<sup>t</sup> Daniel Heinshaw deffend<sup>t</sup> ~~after the Atte-~~ In an action of Appeale from the Judgment of the County Court at Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the reccords of this Court the Jury brought in their virdict they found for the plaintiffe reuersion of the forme<sup>r</sup> Judgment & Costs of Courts fiue pounds one shilling =

voss ag<sup>t</sup> Heinshaw

Abiel Lamb plt agt Tho Hill deffend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of the County Court at Boston y<sup>e</sup> plaintiff w<sup>th</sup>drew his Accon by leaue from the Court

Lambe ag<sup>t</sup> Hill

Jn<sup>o</sup> Turne<sup>r</sup> Attorney to Ephrajm Turner pltff ag<sup>t</sup> Thaddews micarter deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court at Boston the plaintiff w<sup>th</sup>drew this his Acc<sup>o</sup>n by leaue from the Court

Turne<sup>r</sup> ag<sup>t</sup> micarter

George ffoule had fve shillings || & 6<sup>d</sup> || Granted  
 Georg foules Costs || him for || his costs ag<sup>t</sup> Hudson Leueret for his non  
 ag<sup>t</sup> Hudson Leueret psecution \* of his Appeale from charls Towne Court  
 21 <sup>10</sup>mo 80. at this Court

Nathan Heyman had fve shillings Granted him  
 Nath Heymans for his Costs ag<sup>t</sup> John moore for his non prosecution  
 Costs ag<sup>t</sup> J<sup>n</sup> moore of his Appeale at y<sup>e</sup> Court from charls Town<sup>e</sup> County  
 Court.

J<sup>n</sup> Dyars Indictm<sup>t</sup> J<sup>n</sup> Dyar of Braintry was Indicted by the name  
 of John dyar of Braintry in the County of suffolke  
 in New England for not hauing the feare of God before your eyes and  
 being Instigated by the diuill on the 31<sup>th</sup> of January last did wickedly  
 murder and kill J<sup>n</sup> Ahattawants Indian by shooting him w<sup>th</sup> swan  
 shott con<sup>trary</sup> to the peace of our Soueraigne Lord the king his crowne  
 & dignity the lawe of God & of this Jurisdiction being brought to the  
 barr to this Indictment pleaded no<sup>t</sup> guilty put himself on God & the  
 Country for tryall After y<sup>e</sup> Indictment & euidences in y<sup>e</sup> Case produced  
 were read Comitted to the Jury and are on file the Jury brought in  
 their virdict they found the prisone<sup>r</sup> at the barr no<sup>t</sup> guilty according  
 to Indictment but Guilty of manslaughter — In the Case of John  
 Dyar found Guilty of manslaughter It is ordered that the sajd<sub>A</sub>

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pay vnto the widdow of the sajd Indian slajne sixe pounds i e twenty  
 shilling doune in or as mony and twenty shillings more for fve yeares  
 successively from this day and also dischargd & pay  
 the charg of the wittnesses & his Imprisonment &  
 prosecution of this Case giving good security for per-  
 formance of this order standing Comitted till it be don. bond was  
 taken & giuen to y<sup>e</sup> Tresure [] w<sup>th</sup> 20<sub>A</sub> wch he p<sup>d</sup> to s<sup>d</sup> Ahattawants  
 widdow =

1<sup>st</sup> march 1688 || or ||  
 15<sup>th</sup> march

Mary Hale of Boston widdow was Indicted by  
 the name of mary Hale for that yow no<sup>t</sup> hauing the feare of God before  
 yor eyes and being Instigated by the diuill hauing had familiarity  
 w<sup>th</sup> him by the abhorred sin & art of witchcraft did kill & bewitch

---

\* Error of the record for psecution.



one \* Smit to death Contrary to the peace of  
ou' Sovereign Lord the king his Croune & dignity the  
lawes of God and of this Jurisdiction = to wch **mary Hales In-**  
Indictment the prisoner at the Barr pleaded not **dictm'**  
Guilty put himself on tryall by God & the Country After the Indict-  
ment & evidences in the Case produced were Read Comitted to the  
Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in  
their virdict they found the prisoner at the Barr mary Hale not Guilty  
according to Indictment =

Tho: DAVIS & J<sup>n</sup> Eggington | ~~Appearing before the Court & being Convicted of being~~ | two Incurrible theevs & Robbe's standing so Convicted & now also for many reiterated Oath<sup>s</sup> & Cursing<sup>s</sup> of themselves & othe<sup>r</sup>s threatening if loose to burne the Towne were sentenct to be severely whipt w<sup>th</sup> twenty stripes & then Returnd to prison —

DAVIS & Eggington's  
Censure *er*

Tho. Davis & Jn<sup>o</sup> Egge<sup>o</sup>n Appearing before the Court & Con-  
 victed of being Incorrigible Theeves having been  
 formerly sentenced for fellonious taking away goods  
 from sundry person<sup>s</sup> to value of about fiuety pounds  
 and breaking prison before the sentence was performed & since then  
 of stealing from samuel mason to value of Twenty pounds sixe shil-  
 lings: are sentenced to restore treble damages to the sajd mason and  
 to pay all charges of prosecution & Imprisonment and in Case of non  
 payment to be sold by the sajd samuel Mason w<sup>th</sup>in one moneth or  
 else by the Treasurer & sent to any of the English Plantations & they  
 are also furthe<sup>r</sup> sentenced that after their departure or being sent out  
 of this his Maj<sup>ty</sup> Colony that they returne no more w<sup>th</sup>in the lymitts  
 thereof on payne of death and stands Comitted till this sentence be  
 performed —

Davis & Egge<sup>o</sup>n's  
 Sentence =

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[Blank space.]

Att a Court of Assistants held at Boston 1<sup>st</sup>  
June 1681

present  
Symon Bradstreete  
Esqr G5  
Tho Danforth Esqr  
dep: Go5  
Dani: Gookin Esqr  
maj: Ge5

In Ans' to the peticon of w<sup>m</sup> morse in behalf of his wife Elisabeth morse & of hers also. The Court

\* Blank space in the record. From the papers on file it appears the name of the person said to be bewitched was "Michael Smith."

Dani Dennison Esq<sup>r</sup>  
 J<sup>n</sup> Pyncheon  
 Joseph Dudley  
 Nath Saltonstall  
 Tho Sausage  
 J<sup>n</sup> Hull  
 James Russell  
 Peter Tilton  
 — — — —

Judgeth it meet to Reprive the said Elisabeth morse  
 the Condemned prisoner to the end of the next session  
 in Octobe<sup>r</sup> and in the meantime order hir dismission  
 from the prison in Boston to Returne home w<sup>th</sup> hir  
 husband to Newbery Provided she goe not aboue six-  
 teen Rods from hir Oune house ¶ & land ¶ at any  
 time except to the meeting house in Newbery nor re-

moove from the place Appointed hir by the minister & selectmen to  
 sitt in whilst there

past.

E R S

[Blank space.]

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Att A Court of Assistants held at Boston  
 6<sup>th</sup> September 1681

present  
 Symon Bradstreet Esq<sup>r</sup> Go<sup>d</sup>  
 Richard Saltonstall  
 Daniel Gookin  
 Daniel Dennison  
 W<sup>m</sup> Stoughton  
 Joseph Dudley  
 Peter Bulkley  
 Nathaniel Saltonstall  
 Humphry Davy  
 Thomas Sausage  
 John Richards  
 John Hull  
 James Russell  
 Samuel Nowel  
 Peter Tilton  
 Bartholmew Gjdney  
 Samuel Apleton  
 — — — —

Esqs

Thomas Gretian plaintiff in an Accon of  
 Appeale on Attaint against stephen sweathy  
 Deffendant from the virdict of the Jury  
 whereof Cap<sup>t</sup> Richard Sprague was foreman  
 After the said virdict Courts Judgm<sup>t</sup> Attach-  
 ment Reasons of Appeale & evidences in the  
 Case produced were read Comitted to  
 the Jury and are on file w<sup>th</sup> the Rec-  
 cords of this Court the Jury brought

for  
 wages

in their virdict they found for the deffendant the  
 Confirmation of the forme<sup>r</sup> Judgment & costs of  
 Courts.

persons Returnd to  
 serve on the Grand  
 Jury & Sworne  
 were

— — — —  
 m<sup>r</sup> Jonas Clarke  
 Rich<sup>d</sup> way  
 Theoder Atkinson  
 Thomas Duers  
 Joseph Dauls  
 w<sup>m</sup> Dady  
 Rich<sup>d</sup> Louden  
 Tho Tyleston  
 Tho Tolman  
 w<sup>m</sup> Goddard  
 Tho: flegg  
 Tho weld  
 J<sup>n</sup> Stebbins  
 w<sup>m</sup> Maning  
 — — — —

Thomas Gretian plaintiff in an action of Appeale  
 on Attaint against stephen Sweathy deffend<sup>t</sup> from the  
 virdict of the Jury whereof Cap<sup>t</sup> Rich<sup>d</sup> sprague was  
 foreman After the said virdict Attachment Reasons  
 of Appeale & evidences in the Case produced were  
 read Comitted to the Jury & are on file w<sup>th</sup>  
 the Reccords of this Court the Jury brought  
 in their virdict they found for the deffendant Con-  
 firmation of the former Judgment & Costs of Courts

Thomas Gretian plaintiff in an Action of Appeale on Attajnt ag' ~~Stephen sweathy~~ || Roger stainer || deffend' from the virdict of the Jury whereof Cap' Richard sprague was foreman After the virdict Attachment Reasons of Appeale and Euidences in the case produced were read Comitted to the Jury and are remajning on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme' Judgment & Costs of Courts.

for  
wages

Thomas Gretian plaintiff in an action of Appeale on Attaint against Roger Stayno' deffendant from the virdict of the Jury whereof Cap' Richard Sprague was foreman. After the virdict Attachment Reasons of Appeale & euidences in the case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts

Joseph Joy & Nathaniel Beales plaintiff in an action of Appeale on Attaint ag' Hudson Leueret Attorney to Nathaniel Addams deffend' from the virdict of the Jury whereof Cap' Richard Sprague was foreman After the virdict Attachment Reasons of Appeale and euidences in the case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme' Judgment & costs of Courts ~ the Court chancerjed this bond to tenn pounds mony in full of sd Addams damage<sup>s</sup> = & costs of Courts in all foure pounds & two pence

Richard Thajer sen' plaintiff in An action of Attaint ag' majo' Thom: Sauage Esq' deffendt. from the virdict of the Jury whereof Cap' Richard sprague was foreman. After the virdict of the Jury Attachment Reasons of Appeale & euidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts

Thajer  
ag' Sauage

persons Returnd to  
serve on the Jury for  
tryalls of the actions  
of Attaint & sworn  
were =

— — — —  
Cap' J<sup>n</sup> walley  
Robert Brimaden  
Samuel Jacklin  
John Dauls  
J<sup>n</sup> Newell  
Samuel Ballart  
Samuel Kettle  
Jacob Hurd

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John Cutler Jun<sup>r</sup>  
 John Brecke  
 Tymothy Foster  
 Isaack Ryall  
 Eliaba Foster  
 Jn<sup>r</sup> withrington  
 Jn<sup>r</sup> Benjamin  
 Rlob<sup>d</sup> whitney  
 Thomas wilson  
 Samuel Rugles  
 Timothy steevens  
 Thom: Cheny  
 Samuel Scarborow  
 Sam: Goffe  
 Jn<sup>th</sup>. R[i]ngington  
 Jn<sup>r</sup> fuller  
 — — — —  
 persons Returnd to  
 serve on the Jury of  
 Tryalls for Ap-  
 peales life limb &  
 banishm<sup>t</sup> & 1<sup>st</sup>  
 sworne were  
 — — — —  
 Cap<sup>t</sup> Jn<sup>r</sup> walley  
 John fuller  
 Samuel Ballart  
 Jn<sup>r</sup> Newell  
 Jacob Hurd  
 Sam Scarborow  
 Isaac Ryall  
 Robert Brimsden  
 Tho. wilson  
 Tim<sup>r</sup> Steevens  
 John Scarlet  
 w<sup>m</sup> Roby  
 || instead of Sam  
 Jacklin & Tho  
 Cheny dlamist ||  
 — — — —  
 persons Returnd to  
 serv[ ] on the 2<sup>d</sup>  
 Jury for Appeal[ ]  
 & sworn were  
 — — — —  
 m<sup>r</sup> Jonathan Rim-  
 ington  
 John Davis  
 Jn<sup>r</sup> Cutler Jun<sup>r</sup>  
 Samuel Kettle  
 Jn<sup>r</sup> Brecke  
 Samuel Goffe  
 Tim<sup>r</sup>. Foster  
 Jn<sup>r</sup> withrington

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m<sup>r</sup> John Gifford plaintiffe in an action of Attaint  
 on appeale agains<sup>t</sup> D<sup>r</sup> Phillip Read deffendant from the  
 virdict of the Jury whereof Cap<sup>t</sup> Richard Woode\* was  
 foreman After the virdict Attachment [Courts Judgm<sup>t</sup>]  
 Reasons of Appeale & evidences in the Case pro-  
 duced were read Comitted to the Jury and are Re-  
 mayning on file the Jury brought in their virdict  
 they found for the deffendant confirmation of the  
 former Judgmen<sup>t</sup> only abating seven pounds & Costs  
 of Courts ~ here ended y<sup>e</sup> Attaints =

m<sup>r</sup> James Alljn plaintiff in an Action of Appeale  
 Contr<sup>a</sup> Nathani Putnam deffend<sup>t</sup> from the Judgment  
 of the last County Court at Salem = After the At-  
 tachment Courts Judgment & Reasons of Appeale w<sup>th</sup>  
 the evidences in the Case produced were read Comitted  
 to the Jury & are on file w<sup>th</sup> the Reccords of this Court  
 the Jury brought in their virdict they found for the  
 plaintiff reuersion of the forme<sup>r</sup> Judgment the land in  
 Controuersy & Costs of Courts fowe<sup>r</sup> pounds eighteen  
 shillings & eight pence :

m<sup>r</sup> Richard wharton plaintiffe in an Action of  
 Appeale Contra Nathaniell Reynold deffend<sup>t</sup> from the  
 Judgment of the last County Court in Boston = After  
 the Attachment Courts Judgment reasons of Appeale  
 & evidences in the Case produced were read Comitted  
 to the Jury & are on file w<sup>th</sup> the Reccords of this  
 Court the Jury brought in their virdict they found  
 A † ~~the deffendant confirmation of the former judg-~~  
~~ment & Costs of Courts~~ || speciall virdict || that is If  
 said Reynolds were a legall officer at the time of  
 seizing the hides then wee find for the deffendant  
 Confirmation of the former judgm<sup>t</sup> & costs of Courts  
 1<sup>st</sup> 11<sup>th</sup> ten penc but if no legall officer then wee finde  
 for the plaintiff reuersion of the forme<sup>r</sup> Judgment &  
 Costs of Courts The Court determins & Judgeth that

\* Written over Sprague.

† Written over "for."

Left Reynolds was a legall officer & so finds for y<sup>e</sup> deffend<sup>t</sup> confirmation of y<sup>e</sup> forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts: m<sup>r</sup> Richard wharton Attainted the Jury for erro's or mistakes and & Accordingly sajd || m<sup>r</sup> ||

Richard whitney  
Samuel Ruggles  
Thomas Cheny  
John Benjamin  
— — — —

Richard wharton as principall & m<sup>r</sup> Sampson Sheaff his sue ty acknowledged themselves Jointly & seuerally bound & their heires in tenn pounds apeece to the Trespere<sup>r</sup> of the Country & party concerned that sajd wharton shall prosecute his Attaint at the nex<sup>t</sup> Court of Assistants to effect

Thomas Harris butcher plt agt Hannah Long Attorney to w<sup>m</sup> Long in an Ac<sup>ti</sup>on of Appeale from the Judgm<sup>t</sup> of the County Court in Boston in Aprill last After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts

Josiah Torrey plaintiff against Thomas Gretian defend<sup>t</sup> in an action of Appeale from the Judgment of the last County Court in Boston After y<sup>e</sup> Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read comitted to the Jury and are on file w<sup>th</sup> the Reccord of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgm<sup>t</sup> & Costs of Courts —

Michael ffarley plaintiff against Edward Lum[m]as deffendant in an action of appeale from the Judgment of the last County Court at Salem After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the former Judgm<sup>t</sup> & Costs of Courts — thirty two shillings six pence w<sup>ch</sup> w<sup>th</sup> Costs allowed him at Salem Court 25<sup>s</sup> 4 make in all fifty seven shillings \* —

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1681

Peeter Golding & Sarah his wife plaintiff ag<sup>t</sup> Joseph smith deffend<sup>t</sup> in an action of Appeale from the Judgment of the last County Court in Boston After the Attach-

Golding ag<sup>t</sup> smith

\* This sum does not agree with the Items, but the Items agree with the original bill of costs on file. See Court Files Suffolk No. 2008.

ment Courts Judgment Reasons of Appeale & othe' evidences in the case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff as an Addition to the former Judgment\* five pounds mony or else an Acknowledgment to the sattisfaction of the Court & Costs of Courts finety three shillings & tenn pence. — Joseph Smith made his Acknowledgment wch was Read in open Court & is in his Case on file wch the Court Accepted of.

Joseph Lee plaintiff ag<sup>t</sup> Robe't Heynes deffend<sup>t</sup>  
 Lee ag<sup>t</sup> Heynes in an action of Appeale from the Judgment of the  
 Lee ag<sup>t</sup> Heynes County Court at Ipswich: after the Court had heard  
 the Attachment Courts Judgment Reasons of Appeale & Ans<sup>r</sup> they  
 Granted the plaintiff a nonsuit the Accon not being trjable at Ipswich  
 & granted him his Costs thirty eight shillings & sixe pence —

Robe't knight plaintiff ag<sup>t</sup> Samuel Leach & Onesephirus Allen  
 defendants in an Action of Appeale from the Judgment of the County  
 Court at Salem After the Attachment Courts Judg-  
 knight ag<sup>t</sup> Leach ment reasons of Appeale and evidences in the Case  
 were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of  
 this Court the Jury brought in their virdict they found for the plaintiff  
 Reuersion of the forme' Judgment & the land in Controuersy & costs  
 of Courts

Sam Leach Attainted y<sup>e</sup> Jury whereof Cap<sup>t</sup> Jn<sup>o</sup> walley was  
 foreman for erro's and mistakes & himself principall and Richard  
 norman & philip ffoule' his suertjes Acknowledged themselues to be  
 Joyntly & Seuerally bound in forty pounds a peece their heires ex-  
 eccu<sup>ts</sup> & Admist<sup>rs</sup> to the Tresure' of y<sup>e</sup> Country and party Concerned  
 that said Leach shall prosecute his Attaint to y<sup>e</sup> next Court of Assist-  
 ants to effect —

Daniel Ela plaintiff ag<sup>t</sup> Thomas Chandle' defendant  
 Ela in an action of Appeale from the Judgment of the  
 Ag<sup>t</sup> Chandle' County Court at Ipswich after the Attachment Courts  
 Judgment reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on file the Jury brought  
 in their virdict they found for the deffendant Confirmation of the forme'  
 Judgment & Costs of Courts forty one shillings & two pence

\* The verdict at the County Court was for the plaintiff (Golding) for twenty shillings and costs.  
 See Court Files Suffolk No. 2003.

James Daus plaintiff against mary Daus widdow  
& Tho Johnson deffend's in an Accon of <sup>^</sup> from the  
Judgment of the County Court at Ipswich. After the  
Attachment Courts Judgment Reasons of Appeale  
and evidences in the Case produced were read Comitted to the Jury  
and are on file the Jury brought in their virdict they found for the  
plaintiff reuersion of the forme' Judgment & Costs of Courts — fforty  
sixe shillings

Daus  
vs.  
Daus

m<sup>r</sup> Thomas Laughton señ Andrew mansfeild &  
Tho Newhall plaintiff ag<sup>t</sup> Tho Broune señ deffend<sup>t</sup> in  
an Action of Appeale from the Judgment of the  
County Court at Salem After the Attachment Courts  
Judgment Reasons of Appeale & evidences in the Case produced were  
read Comitted to the Jury & are on file w<sup>th</sup> the reccords of this Court  
the Jury brought in their virdict th[e]y found for the plaintiff<sup>s</sup> reuer-  
sion of the former Judgment & Costs of Courts seven pounds one shilling  
and fower pence

Laughton  
ag<sup>t</sup>  
Broune

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1681

Thomas migeley plaintiff ag<sup>t</sup> Joseph Smith deffend<sup>t</sup>  
in an action of Appeale from the Judgment of the  
Comissione's Court last in Boston Tho migely Came into the Court  
and declared he w<sup>th</sup>drw his action

The migely Case

w<sup>m</sup> Lytherland plaintiffe ag<sup>t</sup> Abell Porter señ  
deffend<sup>t</sup> in an action of Appeale from the Judgm<sup>t</sup> of  
the County Court in Aprill last in Boston — After  
the Attachment Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the  
case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the  
Reccords of y<sup>s</sup> Court the Jury brought in their virdict they found for  
the deffendant Confirmation of the former Judgment & costs of Courts

w<sup>m</sup> Lytherland  
Cont<sup>a</sup> abell Porter

Edward Barton plt ag<sup>t</sup> Daniel Mathews plaintiff  
|| deffend<sup>t</sup> || in an action of Appeale from the Judgment  
of the Comissione's in Boston after the Attachment Courts Judgment  
Reason<sup>s</sup> of Appeale & evidences in the Case produced were read Com-  
itted to the Jury and are on file w<sup>th</sup> the reccords of this  
Court the Jury brought in their virdict they found for

Barton ag<sup>t</sup> mathews

execution 2<sup>d</sup> Rec<sup>d</sup>

the plaintiff Reuſion of the former Judgment & Costs of Courts =  
fforty ſhillings & 4<sup>d</sup>

Sandford ag<sup>t</sup> orchard.      Robe<sup>t</sup> Sandford plaintiff ag<sup>t</sup> Robe<sup>t</sup> orchard  
deffend<sup>t</sup> in an action of Appeale from the Judgment  
of the County Court in Aprill laſt in Boſton. After the Attachment  
Courts Judgment Reasons of appeale and euidences in the Caſe pro-  
duced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords  
of this Court the Jury brought in their virdict they      exe:  
found for the deffendant Confirmation of the former  
Judgm<sup>t</sup> wch was 8 : 9. & 10<sup>d</sup> abating three pounds &  
Costs of Courts wf y<sup>s</sup> Court fowrteen & ſix pence wch  
Joseph Holmes engaged for = thirty ſeven ſhillings.

Exec. Iſſued 17<sup>th</sup> \*  
Sept:

Porter Con<sup>ra</sup> Flood      Joseph porter plaintiff againſt James Flood  
deffend<sup>t</sup> in an Action of Appeale from the Judgment  
of the County Court in Boſton the plt w<sup>th</sup> drew this Acton =

John Parmiter plaintiff on Appeale from the Judgment of the  
laſt County Court in Boſton after the Judgment of Cour<sup>t</sup> & Reasons  
of Appeale were read Comitted to the Jury & Read wch are on file the  
Jury brought in their virdict they found Confirmation of the former  
Judgment =

Adam winthrop Attorney to w<sup>m</sup> Harris plaintiff in an action of  
Appeale from the Judgment of the County Court ag<sup>t</sup> michaell Stoakes  
deffend<sup>t</sup> After the Attachment Courts Judgment  
reasons of Appeale & euidences in the Caſe produced  
were read Comitted to the Jury & are on file w<sup>th</sup> the  
reccords of this Court the Jury brought in their vir-  
dict they found for the deffendant Confirmation of the former Judg-  
ment & Costs of Courts thirty ſeven ſhilling

winthrop [g] Harris  
ag<sup>t</sup> Stoakes exec  
Iſſ<sup>d</sup> out 16 Sept:

Symeon stoddard plaintiff ag<sup>t</sup> Tho. Johnson deffend<sup>t</sup> in an action  
of Appeale from the Judgment of the County Court in Boſton after  
the Attachment Courts Judgment reasons of Appeale & euidences in  
the Caſe produced were read Comitted to the Jury and are on file  
w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they  
found for the deffend<sup>t</sup> confirmation of the forme<sup>r</sup> Judgment & Costs of  
Courts

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\* 17 written over 16.



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1681

Samuel Lord plaintiffe ag<sup>t</sup> Timothy Addams  
deffend<sup>t</sup> in an action of Appeale from the Judgment  
of the County Court at Cambridge after the Attachment Courts Judgment & Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file the Jury brought in their virdict they found for y<sup>e</sup> plaintiff<sup>t</sup> red<sup>n</sup>sion of the former Judgm<sup>t</sup> & three pounds eight shilling 4<sup>d</sup> mony damage & costs of Courts =

Lord ag<sup>t</sup> Addams

The Comissione's & Selectmen for the Towne of Boston presenting to this Court m<sup>r</sup> Henry Sherlott a frenchman y<sup>t</sup> is newly come into this Towne as he saj<sup>th</sup> a Dancing master & a person very Insolent & of ill fame that Raues & scoffes at Religion of a Turbulent spirit no way fitt to be tollerated to live in this place and therefor humbly desir[ing] this Court according to their wisdomes to take such orde<sup>r</sup> that the sajd sherlott may be remooved & sent away not only out of this Towne but Colony as a person not w<sup>th</sup> safety to be Admitted to live amongst vs: The Court on p<sup>r</sup>vsall of what was presented voted that m<sup>r</sup> sherlott the frenchman dancer & fencer be remooved out of the Country and that he depart accordingly once w<sup>th</sup>in two months on penalty of Contempt of Authority =

Comission's & select  
mens Complaint ag<sup>t</sup>  
m<sup>r</sup> Henry Sherlott

The Courts sentenc

Ann Perry the Court hauing Considered of yo<sup>r</sup> scandalous offence doe sentence yow to be whipt w<sup>th</sup> fiueteen stripes or pay five pounds mony as a fine to the Country dischardging fees of Court standing Comitted till this sentence be performed

An Perry fined. 5<sup>li</sup>  
& p<sup>d</sup> y<sup>e</sup> Treas.

In Ans<sup>r</sup> to the peti<sup>n</sup> of Samuel Holton of North Hampton humbly desiring to be divorced from mary his now wife Gon from him & sine her departure hath had a child & as in y<sup>e</sup> evidences in the Case produced | appeares | The Court hauing p<sup>r</sup>vsed & duely Considered of the evidences in the Case Judge it meet to Grant his request & doe sett him free & at libe<sup>r</sup>ty from hir. =

at Courts Adjourn<sup>t</sup>  
Samuel Holton<sup>s</sup>  
divorce =

Cheffaleer negro servant to Tho Walker brick maker now in Goale on suspition of Joyning w<sup>th</sup> marja negro in Burning of D<sup>r</sup> Swans' & \* Lambs

Cheffaleer negro  
sentence. =

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\* This space left blank in the record.

houses in Roxbury in July last The Court on Consideration of the Case Judged it meet to orde<sup>r</sup> that he be kep<sup>t</sup> in prison till his master send him out of the Country & then dischargd y<sup>e</sup> charges of Imp<sup>r</sup>isonment w<sup>th</sup> if he refuse to doe aboue one moneth the Country Tresurer is to see it donn & when y<sup>e</sup> chardges be defrajd to returne the ouerplus to y<sup>e</sup> s<sup>d</sup> walker.

James Pemberton  
negro sentenc

The like Judgment & sentenc was declard against  
Jame<sup>s</sup> pembe<sup>r</sup>tons negro in all respects as a<sup>g</sup>t cheffaleer  
negro &c

[139]

1681

Marja Negro servant to Joshua Lambe of Roxbury in the County of Suffolke in New England being presented by the Grand Jury was Indicted by the name of marja Negro for not hauing the feare of God before hir eyes & being Instigated by the diuill at or vpon the eleventh day of July last in the night did wittingly willingly & feloniously set on fier the dwelling house of Thomas swann of sd Roxbury by taking a Coale from vnde<sup>r</sup> a still & carried it into another Roome and lajd it on a floore neere the doore & presently went & crept into a hole at a back doore of thy master Lambs house & set it on fier also taking a liue Coale betweene two chips & Carried it into the chambe<sup>r</sup> by which also it was Consumed as by yo<sup>r</sup>\* Confession will appeare contrary to the peace of our Soueraigne Lord the king his Croune & dignity the lawes of this Jurisdiction in that Case made & prouided title firing of houses — The prisoner at the barr pleaded & acknowledged himselfe to be Guilty of y<sup>e</sup> fact. And accordingly the nex<sup>t</sup> day being Again brought to the Barr had sentenc of death pronounc<sup>t</sup> a<sup>g</sup>t hir by the Honn<sup>o</sup><sup>ble</sup> Go<sup>u</sup>no<sup>r</sup> y<sup>t</sup> she should Goe from the barr to the prison whenc she Came & thence to the place of Execution & there be burn<sup>t</sup>. — y<sup>e</sup> lord be mercifull to thy soule s<sup>d</sup> y<sup>e</sup> Go<sup>u</sup>

Marja negro<sup>m</sup>  
Indictment

& sentence

~~Cheffalee~~ Jack | negro servant to m<sup>r</sup> Samuel woolcot of weath-  
e<sup>r</sup>sfeild thow art Indicted by the name of Jack negro for not hauing  
the feare of God before thy eyes being Instigated by the diuill did at  
or vpon the fowe<sup>t</sup>teenth day of July last 1681 wittingly & feloniously  
sett on fier Leifte<sup>n</sup>nt w<sup>m</sup> Clarks house in north Hamp-  
ton by taking a brand of fier from the hearth and  
swinging it vp & doune for to find victualls as by his

Jack negro<sup>m</sup> Indict-  
m<sup>t</sup> & sentenc

\* Written over "hir."

Confession may Appeare Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction in that Case made & p<sup>r</sup>ovided title firing of houses page (52) to wch Indictment at the barr he pleaded not Guilty & Affirmd he would be trjed by God & the Country and after his Confessions *et* were read to him & his owning thereof were Comitted to the Jury who brought him in Guilty and the next day had his sentence pronouncet ag<sup>t</sup> him by the Gouvernor that he should goe from the barr to the place whence he Came & there be hangd by the neck till he be dead & then taken downe & burnt to Ashes in the fier w<sup>th</sup> Maria negro = The Lord be mercifull to thy soule sajd the Gouverno<sup>r</sup> =

m<sup>r</sup> Anthony stoddard Cap<sup>t</sup> Thomas Bratle m<sup>r</sup> John Joyliffe Cap<sup>t</sup> Elisha Hutchinson m<sup>r</sup> John Saffyn Cap<sup>t</sup> John walley & m<sup>r</sup> John faire-weather being presented as chosen by the ffreemen of Boston to be Comissione's for the yeare ensuing were Approved of by the Court & tooke their Oathes as Comissioners for Boston in open Court

7 Comissioners  
sworne 13 Sep<sup>r</sup> 1681

[139<sup>a</sup>]

1681

w<sup>m</sup> Cheny of Dorchester in the County of Suffolke in New England planter thou art Indicted by the name of w<sup>m</sup> Cheny for not hauing the feare of God before thy eyes & being Instigated by the diuill did at or vpon the seccond day of August last 1681 ffelloniously Comitt a Rape on the body of experience Holdbrooke thy servant and had Carnall Copulation w<sup>th</sup> hir by force against hir will shee crying out & was heard the last time as in hir Confession and by euidence will appeare contrary to the peace of our Soueraigne Lord the king his Croune & dignity the lawes of God & of this Jurisdiction title Rape page 15 = to which Indictment he pleaded not Guilty an[d] put himself for tryall on God & y<sup>e</sup> Country hauing oppertunity to object ag<sup>t</sup> any of y<sup>e</sup> Jury if he see cause = wch he saw no cause so to doe. And after the Indictment & othe<sup>r</sup> euidences in the Case were read & Comitted to the Jury the Jury brought in their virdict they found the prisone<sup>r</sup> at the barr Guilty: = And the nex<sup>t</sup> day had his sentenc pronouncet ag<sup>t</sup> him by the Gove<sup>n</sup>o<sup>r</sup> That yow Goe hence to the place from whence yow Came & thence to the place of execution & there be hangd by the necke till yow be dead =

w<sup>m</sup> Cheny's sentenc

The Court ordered that the Secretary Issue out his warrants to the



giving in his reasons of Appeale to y<sup>e</sup> Comissionr<sup>s</sup> or their clarke:  
 y<sup>e</sup> sajd m<sup>r</sup> Henry Jenkins desired a Jury & entring his Appeale after  
 his peticon the Comissione's Judgment Reason of Appeale & othe<sup>r</sup>  
 evidences in the Case were read Comitted to the Jury & are on file the  
 Jury brought in a speciall virdict viz<sup>t</sup> In y<sup>e</sup> Case of m<sup>r</sup> Henry Jen-  
 kins wee find him Guilty of saying that he was as  
 Good a man as m<sup>r</sup> stoddard & saying to the Constable  
 A pox take your tricks = And if the Constables  
 affirmation on the oath of a Constable be a legall evidenc to convict a  
 man in such a Case then wee find the sajd m<sup>r</sup> Jenkins Guilty of saying  
 that the Barber was wayting vpon a better man then the Comissione's  
 & saying to the Constable A pox take yow othe'wise not guilty =  
 The Court on Consideration of this virdict Judg meet to Confirme the  
 Judgment of the Comissione's

Comissione's Judg<sup>t</sup>  
 Confirmed =

W<sup>m</sup> King being brought to the barr was told that he was presented  
 by the Grand Jury & now was Indicted for Blasphemy & bid hold vp  
 his hand he refused & sajd he would be trjed by God & the King e<sup>r</sup>  
 Refusing to be trjed by God & the Country saying he owned not the  
 Country no<sup>r</sup> their lawes using many revyling & threatning speeches e<sup>r</sup>  
 was sent to the Goale from whence he Came.

And at thi<sup>s</sup> Court<sup>s</sup> Adjournment 21<sup>th</sup> of octobe<sup>r</sup>  
 1681:

at 8 in y<sup>e</sup> morning

W<sup>m</sup> King was this day brought to the barr from prison for Blas-  
 phemous words testified against him & weh he Again in a presumptuous  
 manner before Authority vttered & declared i: e that he was the  
 [Ae]ternall son of God & y<sup>e</sup> he was holy & pure as God himself; was  
 at the last Court of Assistants by the Grand Jury presented & left to  
 tryall and sajd King being brought to the barr & Indicted accordingly  
 for sajd Blasphemy but he behaued himself like a mad man and abso-  
 lutely refused to hold vp his hand & plead to the sajd Indictment and  
 being now at the barr he owned the words spoken & behaued himselfe  
 outrageously as a madman; the evidences against him were read the  
 Court on perversall of the evidences e<sup>r</sup> Judg meet to order him to be  
 severely whipt with Twenty stripes, and then Return'd to prison there  
 to lye till y<sup>e</sup> Council see meet to dischargd him. This sentence was  
 declar'd to him in open Court e<sup>r</sup>

21<sup>th</sup> mo 81

This Court of Assistants is dissolved

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present  
 Symon Bradstreet  
 Esq<sup>r</sup> Go<sup>o</sup>  
 Tho: Danforth Esq<sup>r</sup>  
 dep<sup>t</sup> Go<sup>o</sup>  
 Richard Saltonstall  
 Dani: Gookin sen<sup>r</sup>  
 Dani. Dennison

w<sup>m</sup> stoughton  
 Joseph dudley  
 Peter Bulkley  
 Humphry Davy  
 Nath Saltonstall  
 Jn<sup>o</sup> Richards  
 Jn<sup>o</sup> Hull  
 Sam Nowell  
 James Russell

Sam. Apleton  
 — — —

persons Returned to  
 serve on Grand Jury  
 & sworn are

— — —  
 m<sup>r</sup> w<sup>m</sup> Parkes  
 Rich<sup>d</sup> way  
 Francis Johnson  
 w<sup>m</sup> Greenow  
 Jn<sup>o</sup> white  
 James Bill  
 John Smith  
 Dani. Preston  
 Th[os] Mather  
 Joseph Tayntor  
 Jn<sup>o</sup> Bisco  
 Jn<sup>o</sup> Peirpoint  
 Sam. Andrews  
 Randall Nicolls  
 Eljas Row.  
 — — —

Att A Court of Assistan's held at Boston 7<sup>th</sup> of  
 march 1681 —

The Grand Jury was Impanneld & sworne Gaue  
 In their p<sup>r</sup>esentment & Indictment as to Jn<sup>o</sup> knight &  
 were dischargd

m<sup>r</sup> Richard Wharton plaintiffe against ¶ Lef<sup>t</sup> ¶  
 Nathaniel Reynolds deffend<sup>t</sup> in An action of Attaint  
 on Appeale from the virdict of the Jury the last Court  
 of asistants in Septembe<sup>r</sup> last after the Attachment  
 Courts Judgment Reasons of Appeale & evidences in  
 the Case produced were read Comitted to the Jury and  
 are on file. The ¶ Jury ¶ brought in their virdict i: e  
 a speciaall virdict: If finding the [hydes on] board the  
 ship whereof Willjam Marshall was then Comander  
 though there be no sufficient legall evidence to proove  
 how they came there doe forfeite those Hydes being  
 legally seized, and no testimony to proove the ship<sup>s</sup>  
 going away, nor to proove any Intention to transport  
 those hides; then wee find for the deffendant a Con-  
 firmation of the former Judgment & Costs of Courts,  
 If not we find a reuersion of forme<sup>r</sup> Judgments &  
 Costs of Courts The Bench on p<sup>r</sup>evsall of this virdict  
 doe finde for y<sup>e</sup> defendant Confirmation of the former  
 Judgment & Costs of Courts forty seven shillings —

Afterwards the magists voted it that they forgaue  
 m<sup>r</sup> wharton the Country<sup>s</sup> part of the forfeiture of the hides:

Sam Leach & Onnesephirus Allen plaintiffs against Robe<sup>t</sup> knight  
 defend<sup>t</sup> in an Action of Attaint on Appeale from the virdict of the Jury  
 at the Court of Assistants in Septembe<sup>r</sup> last The plaintiff & deffendant  
 Appeard in Court & declared they were Agreed & humbly desired the  
 Courts favor to grant them Libe<sup>r</sup>ty to w<sup>th</sup>draw w<sup>th</sup> y<sup>e</sup> sajd leach did and  
 Accordingly It was w<sup>th</sup>draune —

owen Parris of Barbadoes plaintiff against Georg fletcher or his  
 Attorney Hugh Babell deffendant in an Accon of Appeale from the

Judgment of the County Court at Boston in octobe<sup>r</sup> last After the Attachment Courts Judgment reasons of Appeale and evidences in the case produced were read Comitted to the Jury and are on file the Jury brought in their virdict they found for the Deffendant Confirmation of the former Judgment & Costs of Courts

Parris ag<sup>t</sup> Babell  
g fletcher

1e 8<sup>th</sup> 12: y<sup>e</sup> Jury  
[ownd n<sup>o</sup> mo.] \* =

[142]

1681

Joseph Webb plaintiff Against Stephen Burton defend<sup>r</sup> in an action of Appeale from the Judgment of the County Court at Boston in octobe<sup>r</sup> last After the Attachm<sup>t</sup> Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the plaintiffe Reuer-  
tion of the former Judgm<sup>t</sup> and that  
the signe † be Returnd in to the Custody of the said plaintiff on forfeiture of paying tenn pounds mony & costs of Courts forty shillings & eight pence

1<sup>st</sup>  
Ju

y<sup>e</sup> names of the 1<sup>st</sup>  
Jury for trjalls of  
Appeales Attains  
e<sup>r</sup> & sworne

— — — —  
m<sup>r</sup> w<sup>m</sup> Bond  
Edward Smith  
James Loyd  
w<sup>m</sup> Hoare  
Jn<sup>o</sup> moore  
Joseph Leeds  
Joseph Griggs  
Tho Longhorne  
Edward Jackson  
w<sup>m</sup> Hagar  
Daniel Smith  
Jn<sup>o</sup> fowle  
— — — —

Jn<sup>o</sup> vsher plaintiff ag<sup>t</sup> Hezekiah vsher & m<sup>r</sup> Samuel Nowell executors to y<sup>e</sup> last will of y<sup>e</sup> Late Hezekiah Vshe<sup>r</sup> defend<sup>r</sup> In an action of Appeale from the Judgment of the County Court in Boston in octobe<sup>r</sup> last After the Attachm<sup>t</sup> Courts Reasons || of Appeale || & Judgment of Court || & evidences in the Case produced || were Read Comitted to the Jury and are on file || with the Reccords of this Court || the Jury brought in their virdict they found for the plaintiff Reuersion of the forme<sup>r</sup> Judgment and that the legacjes given to Hezekiah Browne by y<sup>e</sup> will of Hezekiah Vsher deceased being fowe<sup>r</sup> hundred pounds the weh the plaintiff obteyned a Judgment for in a County Court held in Boston octobe<sup>r</sup> 1678 shall be paid said Plaintiff in Goods at mony prize or in deffects thereof mony & Costs of Courts forty sixe shillings & eight pence. =

person[s] sumoned to  
serve on the second  
Jury of tryalls for  
Appeales Attains  
e<sup>r</sup> sworne were

— — — —  
m<sup>r</sup> Joseph Lynd  
James meares  
w<sup>m</sup> Gilbert  
w<sup>m</sup> Broune  
Thomas moore:  
Room [ Cas]  
Clement maxfeld  
James Bird  
Jn<sup>o</sup> Ruggles  
Tho Parkes  
Nath Coolidge  
Hen: spring  
Isayah Toy  
Jn<sup>o</sup> foster in B<sup>t</sup>  
w<sup>m</sup> case

exec Issud out 30  
7 82 E R

\* The verdict at the County Court was for 8<sup>th</sup> 12, interest not being allowed.

† The action at the County Court was for "taking down" &c. a "signe which was John Keen's."

samuel Holmes plaintiff against francis dudson deffend' in an action of Appeale from the Judgment of the Comiss<sup>m</sup> Court in Boston After the Attachment Courts Judgment Reasons of appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court The Jury brought in their virdict they found for the plaintiff Reuercon of the forme' Judgm<sup>t</sup> & Costs of Courts thirty shillings & two pence

w<sup>m</sup> wright sen<sup>d</sup> Attorney to w<sup>m</sup> wright Jun<sup>d</sup> plaintiff ag<sup>t</sup> Joseph weeden defend' in an Action of Appeale from the Judgment of the Comissione<sup>m</sup> Court in Boston after the Attachment Courts Judgment Reasons of Appeale & other evidences in the Case produced Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff Reuerton of the former Judgment & Costs of Courts thirty fowe' shillings & two pence

The voss Attorney to Robe't voss plaintiff ag<sup>t</sup> m<sup>r</sup> Anthony checkly Attorney to m<sup>r</sup> Pelatiah Glouer deffend' in an Action of Appeale from the Judgment of the County Court in Boston After the Attachment Courts Judgment Reason\* of Appeale and evidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment and Costs of Courts forty fowe' shillings & fowe' pence

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1681

Peter Goulding plaintiff ag<sup>t</sup> Thomas midgley deffend' in an Action of Appeale from the Judgment of the Comissione's in Boston After the attachment Courts Judgment Reasons of Appeale  
 Goulding ag<sup>t</sup> and other evidences in the Case produced were read  
 Smith\* Comitted to Jury and are on file w<sup>th</sup> the Reccords of  
 this Court the Jury brought in their virdict they found for the  
 deffendant Confirmation of the forme' Judgment and Costs of Courts  
 fueteen shillings & fowe' pence =

Cap<sup>t</sup> Penn Townsend plaintiff against Thomas Johnson deffend' in an action of Appeale from the Judgm<sup>t</sup> of the County Court in Boston

\* It appears by the papers on file that Joseph Smith acted as attorney for Thomas Midgley; Court Files, Suffolk, No. 2066.



after the Attachment Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts thirty nine shillings & sixpence.

Townsend ag<sup>t</sup> Johnson  
execution Issued out

Sam Chapman pltff ag<sup>t</sup> Jn<sup>o</sup> Barry defend<sup>t</sup> in an Action of Appeale from y<sup>e</sup> Judgmen<sup>t</sup> of Ipswich Court Afte<sup>r</sup> y<sup>e</sup> Attachment Courts Judgment Reasons of Appeale & evidences in y<sup>e</sup> Case produced were read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found A speciall virdict i: e If a man Gives his daughter a legacy when in the will he Calls hir his daughter y<sup>e</sup> wife of such a man & she dye w<sup>th</sup>out Issue before time of payment if it be hir husbands after hir death by Law Then wee find for y<sup>e</sup> deffendant Confirmation of the Judgment of Ipswich Court & Costs of Courts if othe<sup>r</sup>wise wee find for the plaintiff a reuersion of the forme<sup>r</sup> Judgmen<sup>t</sup> & Costs of Courts forty seuen shillings & fowe<sup>r</sup> pence The Court finds for y<sup>e</sup> plaintiff Reuersion of Ipswich Court Judgm<sup>t</sup> & Costs of Courts

Chapman ag<sup>t</sup> Barry

Richard shatswell plaintiff ag<sup>t</sup> nehemiah Jewet deffendant in an action of Appeale from the Judgment of the County Court at Ipswich in September last After the Courts Judgment Attachment & Reasons of Appeale w<sup>th</sup> othe<sup>r</sup> evidences in the Case produced were Read Comitted to the Jury & are on file the Jury brought in their virdict they found for the defendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts three pounds & two pence: y<sup>e</sup> plaintiff Attainted the Jury & sajd Richard shatswel principall in ten pounds & Sam Chapman & Joshua windsor his surtjes in five pounds A peece Respectuely bound themselves to the Treasure<sup>r</sup> of the Country & partjes Concerned on Condition that sajd Richard shatswell should prosecute this his Attaint at the nex<sup>t</sup> Court of Assistan<sup>t</sup> to effect —

shatswell ag<sup>t</sup> Jewet

m<sup>r</sup> Bond forman  
Attaint =

Steven Butler plaintiff Against Anthony Checkley deffendant in an Action of Appeale from the Judgment of the County Court in Boston. — The plaintiff & deffendant Appeared The Attachment Courts Judgment e<sup>r</sup> were Read and the plaintiff objecting that this Case hath binn heard & determined by two

Butler ag<sup>t</sup> Checkly

if not three Generall Courts & therefore not triable by an Inferio<sup>r</sup> Court vnless by Revejw w<sup>th</sup> new Evidence or new plea w<sup>ch</sup> was not made ou<sup>t</sup> & the defendan<sup>t</sup> no<sup>t</sup> making it out so to be The Bench declar'd this Case ought not to proceed: on furthe<sup>r</sup> Consideration the Court ordered the procedure of the Case. the evidences were Comitted to the Jury & are on file the Jury brought in their virdict they found for the deffendant the Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts

Joseph Holmes Attorney to Roger Stayno<sup>r</sup> plain-  
stayno<sup>r</sup> ag<sup>t</sup> Gretian      tiffe ag<sup>t</sup> Anthony checkley Attorney to Thomas  
[or] Holmes ag<sup>t</sup>      Gretian defendant in an action of Appeale from the  
checkley =      Judgment of the County Court in Boston after the  
Attachment Courts Judgment Reasons of Appeale & evidences in  
the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the  
Reccords of this Court the Jury brought in their virdict Reve'sion of  
the former Judgmen<sup>t</sup> & Costs of Courts three pounds

Timothy Thornton Tho stanbury Jn<sup>o</sup> dyar samuell Linds chosen  
Constable w<sup>th</sup> others in Boston for y<sup>e</sup> yeare ensuing tooke their oathes  
as Constables in open Court      As Attests E R S

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1681

Jn<sup>o</sup> wing plaintiff against James Halsey deffendant in an action  
of Appeale from the Judgment of the County Court in octobe<sup>r</sup> last  
After the Attachment Courts Judgment Reasons of  
wing ag<sup>t</sup>      Appeale & evidences in the Case produced were read  
Halsey =      Comitted to the Jury & are on file w<sup>th</sup> the Reccords of  
this Court the Case being Called the Reason<sup>s</sup> for the Appeale no<sup>t</sup> being  
seasonably brought in the plaintiff was nonsuited & defend<sup>t</sup> had his  
Costs granted eleven shillings & six pence

Thomas Tare plaintiff ag<sup>t</sup> w<sup>m</sup> Hinderson deffend<sup>t</sup> in an Action of  
Appeale from the Judgm<sup>t</sup> of the County Court in Boston January last  
After the Attachment Courts Judgment Reasons of  
Tare ag<sup>t</sup> Hinderson      Appeale & evidences in the Case produced were read  
Comitted to the Jury & are on file the Jury brought in their virdict  
they found for the plaintiff reuersion of the forme Judgment & Costs  
of Courts thirty eight shillings

Robe<sup>t</sup> Taft plaintiff on Appeale from the sentence of the County

Court in Boston after the Courts Judgment or sentenc w<sup>th</sup> the evidences in the Case produced were read Comitted to the Jury and are on file the Jury brought in their virdict they found Confirmation of Jury<sup>s</sup> virdict & Costs of Courts 6<sup>r</sup> 31<sup>s</sup> 6 besides fees —

Rob<sup>t</sup> Taft Appeale

Richard Dole & Henry Jacquis plaintiff ag<sup>t</sup> Rich<sup>d</sup> Kent deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court at Ipswich: After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they find for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts fowe<sup>r</sup> pounds twelve shilling<sup>s</sup> & two pence.

Dole ag<sup>t</sup> Kent

Anthony checkley sue<sup>ty</sup> to Thomas Gretian plaintiff against Joseph webb marshall || deffend<sup>t</sup> \* || in an Action of Appeale from the Judgment of the County Court in January last at Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> marshall webb Confirmation of the forme<sup>r</sup> Judgment the forfeiture of the bond sixty pounds in money & Costs of Courts The plaintiff desird the bond to be chancerjed wch was Granted & the Court having heard the plaintiff & defendt did chancery the bond to thirty pounds money the Costs of Courts Included —

Checkly & Gretian  
plt ag<sup>t</sup> Joseph  
webb marshall ex-  
ecut<sup>t</sup> Issued out

Returne wayt marshall plaintiff against Joseph Holmes Attorney to stephen Sweathy deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court in Boston in octobe<sup>r</sup> (81) for wages After the Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for y<sup>e</sup> deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts = forty two shillings & tenn pence —

1<sup>st</sup> Jur

wayte ag<sup>t</sup> Hom[es]  
for wages

Return way<sup>t</sup> marshall plaintiff in an Action of Appeale Against †

\* Written over "pltf."

† Written over "from the."

Joseph Homes Attorney to steven sweathy || defendt || (for cloaths)  
 After the Attachment Courts Judgment Reasons of  
 wayt agt Homes ex- Appeale & evidences in the Case produced were read  
 ecution issued agt Comitted to the Jury and are on file w<sup>th</sup> the Reccords  
 cr for 8: 14. 10. of this Court the Jury brought in their virdiet they  
 found for the deffendt Confirmation of the forme' Judgm<sup>t</sup> & Costs of  
 Courts forty shillings & 2<sup>d</sup> — — —

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1681

march 18, 1681:  
 then present in court  
 Symon Bradstreet Esq<sup>r</sup>  
 Go<sup>o</sup>  
 Tho. Danforth Esq<sup>r</sup> dep<sup>t</sup>  
 Go<sup>o</sup>  
 Daniel Gookin  
 Daniel Dennison  
 w<sup>m</sup> Stoughton  
 Joseph Dudley  
 John Richards  
 Sam Nowell  
 Jame[s] Russell  
 J<sup>n</sup> Hull  
 Benj. Gedney  
 Sam Apleton  
 & Secre<sup>t</sup>

Esq<sup>s</sup>

Charles chickatabut son of the late Josiah  
 chickatabut sachem of the massachusetts, personally  
 Appearing before the Governo<sup>r</sup> & Court of Assist-  
 ants desiring and made choyce of willjam stoughton  
 & Joseph dudley Esq's for his Guardians during  
 his minority, referring himself wholly to their  
 mannage and Government praying this Courts  
 allowance and acceptance thereof, Willjam Ahauton  
 being present and Interpreting, which was accord-  
 ingly granted & Ordered to be Recorded the day  
 Abouesajd and accordingly stands here in their  
 booke of Records thus Recorded: p Edw. Rawson  
 Secret —

Clenton<sup>s</sup> divorce  
 In Ans<sup>r</sup> to the petition of Rachel Clenton the wife  
 of Lawrence clenton on pe[rus]all of the evidences in  
 Court, The Court Judgeth it meet to Grant the peticone's Request &  
 doe Judge it meet to divorce hir & free hir from hir sajd husband —

may 24, 1682  
 In the Gennerall Court — In Ans<sup>r</sup> to the peticon  
 of w<sup>m</sup> Kent tave'ner The Go<sup>o</sup> no<sup>r</sup> & magists Judg  
 meet to grant the peticone<sup>r</sup> licence & libe<sup>r</sup>ty to make sale of his wine  
 beere & prouissions exprest in his peticon till the last tuesday in october  
 next Attests Edw Rawson Secret

Edward Rawson and w<sup>m</sup> Rawson his son plaintiff<sup>s</sup> in an action of  
 Appeale from from \* the Judgment of the bench & virdiet of the Jury  
 in Case cr of the County Court last in Boston || ag<sup>t</sup> w<sup>m</sup> stoughton &  
 Joseph dudley Esq<sup>m</sup> Commissione's for y<sup>e</sup> vnited collonyes for y<sup>e</sup> mas-

---

\* "from" repeated in the record.

sachusetts defendants || as to a nonsuit *et* After the Attachment & Courts Judgment were Read the plaintiffs Insisted on & desired as at y<sup>e</sup> former Court a non suit =

Edw<sup>d</sup> Rawson  
Contra

m<sup>r</sup> Isaack Addington is ordered by the Court to officiat as clarke of this Court in the Case betweene the Comissione's of the Colonjes & m<sup>r</sup> Edward Rawson & his son m<sup>r</sup> W<sup>m</sup> Rauson 14. 1 168 $\frac{1}{2}$  signed Thomas Danforth p<sup>r</sup> order

The Appellants Reasons & pleas for a non suite being read & pleaded and the Question put to voate whither the Appellants ought at the County Court to haue had a non suite granted them It was voted by the whole bench in the negative nemine Contradicente and the Cause proceeded to tryall and both the Attachment Reasons of Appeale & all other evidences in the Case produced were Read Comitted to the Jury and are on file in m<sup>r</sup> Addington's hands the Jury brought in their verdict they found for the defendants Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts m<sup>r</sup> w<sup>m</sup> Rauson desired to Attaint y<sup>e</sup> Jury but his father m<sup>r</sup> Edward Rauson who was present refused to Joyne in y<sup>e</sup> Attaint where vpon it was put to y<sup>e</sup> question whith<sup>r</sup> m<sup>r</sup> w<sup>m</sup> Rausions Attaint should be allowed p<sup>r</sup>emisses considered & voted in y<sup>e</sup> negative nemine contradicente

The Bench Chanceried the bond & forfeiture thereof to three hundred and thirty pounds in money & Costs of Courts :

21 m<sup>ch</sup> 168 $\frac{1}{2}$

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[Blank space]

At a Court of Assistants or Admiralty held at Boston 1<sup>st</sup> June 1682

Edward Randolph Esq<sup>r</sup> Collecto<sup>r</sup> &c.\* of his maj<sup>ties</sup> Customes *et* pl<sup>tf</sup>e by his libell & Complaint ag<sup>t</sup> seven pakes or fardles two hundred paire of stockins more or less two hundred paire of shooes more or less se<sup>u</sup>rall Caskes hogshds. trunks bayles chests boxe filled opened or not opened *et* as in saj<sup>d</sup> libell is exprest reference thereto being had may Apeare *et* on y<sup>e</sup> behalfe of ou<sup>r</sup> Soueraigne Lord y<sup>e</sup> King the Go<sup>u</sup>no<sup>r</sup> & himself *et* Contra George Hutchinson deffend<sup>t</sup> in whose hands they are or were after y<sup>e</sup> Case was Called the pl<sup>tf</sup>iff & deffend<sup>t</sup> appear-

present  
symon Bradstreet  
Esq Go  
Tho: Danforth Esq<sup>r</sup>  
Dep<sup>t</sup> G<sup>o</sup>  
Dani: Gookin  
Dani: Denison  
John Pinchon  
w<sup>m</sup> stoughton  
Peter Bulkley  
Nath Saltonstall  
Humphry Davy  
Nath: Saltonstall †  
Sam: Nowell  
James Russell  
Peter Tilton  
Rob<sup>t</sup> Pike  
— — —

\* Written over "of."

† Entered twice in the original.

Jury men Returnd  
to serv[er] at y<sup>e</sup>  
Court & were  
swor[n]

ing & evidences in y<sup>e</sup> Case produced were read : Comitted to y<sup>e</sup> Jury the Jury brought in their virdict they found for the deffendant Costs of Court. —

Cap<sup>t</sup> Pen Townsend  
Joseph Pearse [Bo\*]  
Joseph Homes  
Robert Seaver sen<sup>r</sup>  
w<sup>m</sup> Gary  
Jn<sup>r</sup> Bird  
Nehemiah Clapp  
Sam Jennison  
Joseph pearse [wat†]  
Jn<sup>r</sup> Blany  
Francis Boman  
John Goues  
— — — —

Edward Randolph Esq<sup>r</sup> Collecto<sup>r</sup> of his maj<sup>t</sup>ies customes in New England e<sup>r</sup> plaintiff on behalf of his maj<sup>y</sup> the Go<sup>o</sup>no<sup>r</sup> Symon Bradstreet Esq<sup>r</sup> & himself by his libell or Information ag<sup>t</sup> Jn<sup>o</sup> Place master of the ship Hope of Boston deffend<sup>t</sup> for his vndeliuery of his wine before entry made e<sup>r</sup> as in sajd libell doth & may appeare refferenc thereto being had after the plaintiffe & defend<sup>t</sup> Appearing & evidences in y<sup>e</sup> case were Considered being Comitted to y<sup>e</sup> Jury

they brought in their virdict they found for the deffendant Costs of Court — —

Edw<sup>d</sup> Randolph Esq<sup>r</sup> Collecto<sup>r</sup> of his maj<sup>t</sup>y<sup>e</sup> Custom<sup>e</sup> in New Eng<sup>d</sup> by his Information on behalfe of our Soueraigne Lord the king & Symon Bradstreet Esq<sup>r</sup> Go<sup>o</sup>n<sup>r</sup> & himself plaintiff ag<sup>t</sup> Jn<sup>o</sup> Boury m<sup>r</sup> of the ship w<sup>m</sup> of Bristoll & also ag<sup>t</sup> y<sup>e</sup> s<sup>d</sup> ship for his vndeliuery of one pipe of sherry wine at marblehead before entry w<sup>th</sup> the Go<sup>o</sup>no<sup>r</sup> e<sup>r</sup> as in sajd Information refference thereto being had may Appeare & after the Court & Jury e<sup>r</sup> had heard the pleas e<sup>r</sup> y<sup>e</sup> Case Comitted to the Jury the Jury brought in their virdict they found for the deffend<sup>t</sup> costs of Court

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1682

Robe<sup>t</sup> Butche<sup>r</sup> as Attorney to Timothy Armitage plaintiff ag<sup>t</sup> Edward Randolph Esq<sup>r</sup> || defend<sup>t</sup> || in an Action of Revejw of a Case tried at a Court of Admiralty or Court of Assistants held at Boston the 25 december 1680 wherein the sajd Randolph was then plaintiff & prosecuted sajd Armitage vpon breach of y<sup>e</sup> Act of the 14<sup>th</sup> of y<sup>e</sup> king & obteyned Judgm<sup>t</sup> ag<sup>t</sup> sajd Armitage then deffendant the sume of forty pounds mony as by s<sup>d</sup> Judgm<sup>t</sup> may Appeare e<sup>r</sup> After the plea<sup>s</sup> & evidences in the Case produced were read : Comitted to the Jury e<sup>r</sup> the Jury brought in their virdict they found for the defendant Costs of Court

Samuel shrimpton principle & nicholas paige || his suerty || both of

\* Boston?

† Watertown?

Boston me<sup>r</sup>chants Joyntly & seuerally Acknowledged themselves bound in two hundred pounds to ou<sup>r</sup> Soueraigne Lord King charles the second *c<sup>r</sup>* on Condition that said samuel shrimpton shall respond the Judgment and Apprisall of the ship Hope in reference to an Acton of Revejw of the Case trjed at the Court of Assistants 3<sup>d</sup> Instant June betweene between \* Edward Randolph Esq<sup>r</sup> Collecto<sup>r</sup> *c<sup>r</sup>* & John Place master of ship Hope as shall at said Court of Revejw sometimes before the 10<sup>th</sup> of Septembe<sup>r</sup> nex<sup>t</sup> be determined & recouered by said Edw<sup>d</sup> Randolph

Attests Edw Rawson secret

Att a Court of Assistants or Court of Admiralty  
held at Boston 15<sup>th</sup> June 1682

Theophilus Poole one of the Adventure's in the ship Resolution plaintiff ag<sup>t</sup> w<sup>m</sup> Phipps Comande<sup>r</sup> of the said ship & Erasmus steevens and Nicholas Hayward Quartermaste's in an Action of the Case for that they the said w<sup>m</sup> Phipps Comande<sup>r</sup> Erasmus steevens & nicholas Hayward Quartermaste's not w<sup>th</sup>standing the said Pole was at æquall Charge & did prouide & pay for his oune Armes & Amunition & prouition after their laying out full shares æqually at martjn<sup>s</sup> vinyard hath tooke halfe his share & deteynes the same in their the said steeven<sup>s</sup> & Hawards hands & Refuseth the deliuey thereof to the said poole to his great dammage as in the s<sup>d</sup> Attachm<sup>t</sup> bearing date 12<sup>th</sup> June Instant 1682 more at large refferenc thereto being had amply doth & may Appeare After y<sup>e</sup> Attachm<sup>t</sup> & evidences therein produced || were read & || the Court had considered thereof the Court did decree & dotermine that the said Erasmus steevens and nicholas Haward Quartermaste's of said ship resolution in behalfe of the Company shall pay vnto the said plaintiff Theophilus Pole the sume of twenty seuen pounds mony of New England for his halfe share that was taken by them the said Quarter masters after the diuison at martyns vineyard & three pounds nine pene like mony Costs in all 30<sup>li</sup>

present  
y<sup>e</sup> Go<sup>vt</sup>  
dep<sup>t</sup> Go<sup>vt</sup>  
w<sup>m</sup> stoughton  
Peter Bulkley  
Humphry Davy  
sam. Nowell  
Jn<sup>o</sup> Hull  
James Russell  
— — — —

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1682

Jn<sup>o</sup> Aires one of the Adventure's in the ship Resolution plaintiff against w<sup>m</sup> Phipps Comander of said ship & Erasmus steevens & Nich-

\* Repeated in the record.

olas Haward Quart'm's in an action of the Case for that they the said w<sup>m</sup> Phipps Comande' & Erasmus steevens & nicholas Hayward Quar-te'm's notwithstanding the s<sup>d</sup> Aires was at æquall charge & did provide & pay for his oune Armes Amunition & prouition after their laying out full shares æqually at martyn's vineyard hath took halfe his share & deteynes the same in their the said steevens & Haywards hands & refuseth the deliuey thereof to the said Aires to his great damage: as in the s<sup>d</sup> Attachm<sup>t</sup> bearing date 12 June Instant 1682 more at larg refference thereto being had Amply doth & may appeare After the Attachment & evidences in the Case produced were read & the Court had Considered thereof The Court did decree & determine that the said Erasmus steevens & Nicholas Hayword Quarterm's of s<sup>d</sup> ship Resolution in behalfe of the Company shall pay vnto the plaintiff John Aires the sume of twenty seven pounds mony of New England for his halfe share that was taken by them the said Quarterm's after the divicon at martjn's vineyard and three pounds nine penc like mony Costs in all thirty pounds —

Thomas Johnson one of the Adventure's in the ship resolution plaintiff agt w<sup>m</sup> Phipps Comande' of s<sup>d</sup> ship & Erasmus steevens & Nicholas Hayward Quarterm's || defend<sup>t</sup> || in an action of the Case for that they the said W<sup>m</sup> Phipps Comande' & Erasmus steeven<sup>s</sup> & Nicholas Hayword Quarterm's notwithstanding the said Johnson was at æquall charge & did provide & pay for his oune Armes Amunition & prouision after their laying out full shares æqually at martjns vineyard hath tooke halfe his share & deteynes the same in their the said steevens & Haywards hands & refuseth the deliuey thereof to the said Johnson to his great damage as in the said Attachment bearing date the 12<sup>th</sup> of June Instant 1682 more at large refference thereto being had amply doth & may Appeare after the Attachment & evidences in the Case produced were read and the Court had Considered thereof The Court did decree & determine that the said Erasmus steevens and Nicholas Hayword Quarterm's of said ship Resolution in behalfe of the Company shall pay vnto the plaintiff Thomas Johnson the sume of twenty seven pounds mony of New England for his halfe share that was taken by them the said Quarterm's after the divition at martjns vinyard & three pounds nine pence like mony Costs in all thirty pounds —

Thomas knap<sup>s</sup> one of the Adventure's in the ship Resolution plaintiff agt w<sup>m</sup> Phipps Comande' of s<sup>d</sup> ship & Erasmus steephens & Nicholas



Haywards Qu'te'm's deffendants in an Acton of the Case for that they the said w<sup>m</sup> Phipps Comande' & Erasmus steevens & Nicholas Hayward Quarte'm's no' w<sup>th</sup>standing the said knapps was at æquall charge & did provide and pay for his owne Armes Ammunition & prouission Afte' there lajing out full shares æqually at martjns vineyard hath tooke halfe his share & deteynes the same in their the said steevens & Haywards hands & refuseth the deliuary thereof to the said knapps to his great damage as in the said Attachm<sup>t</sup> bearing date the 12<sup>th</sup> of June Instant 1682 more at large refference thereto being had amply doth & may Appeare After the Attachment & evidences in the Case produced were read & the Court had Considered thereof The Court did decree & determine that the s<sup>d</sup> Erasmus steeven<sup>s</sup> & nicholas Hayword Quarte'masters of said ship Resolution in behalfe of the Company shall pay vnto the plaintiff Thomas knapps the sume of twenty seven pounds mony of New England for his halfe share that was taken by them the said Qua'term's after the diuission at martjns Vineyard and three pounds nine pence like mony Costs in all thirty pounds

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At A Court of Assitants or Admiralty Called  
by the Gover<sup>r</sup> & held at Boston 17 Aug<sup>r</sup> 1682

present  
Symon Bradstreet Esq<sup>r</sup>  
Go<sup>o</sup>  
Tho. Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>o</sup>  
Daniel Gookin  
w<sup>m</sup> stoughton  
Humphry Dany  
Sam Nowell  
Jn<sup>o</sup> Hull  
James Russell } Esq<sup>rs</sup>

In the Case of Jn<sup>o</sup> Daniel Carpenter & Cornelius Anderson Cooke in behalfe of themselues & Robe't Tucker Carpenters mate nicholas Austin qu't'm<sup>r</sup> Robe't Read Jn<sup>o</sup> Curtis Jn<sup>o</sup> day John Goodwin Nathaniel Legg Robe't Browne & Richard strout marriners belonging to ship merchants adventure of London plaintiffs ag<sup>t</sup> Cap<sup>t</sup> w<sup>m</sup> stone Comande' of the said ship on behale of his owne's deffendt. In an Action of the case according to Attachment bearing date the fowe'teenth Instant refferenc thereto being had amply doth & may Appeare After the Cour<sup>t</sup> had heard the libell or Complaint Attachment & evidences in the Case produced were read e<sup>r</sup> The Court Judged & declared that wages is due to the said marriners but not payable at this Port And therefore order the deffend<sup>t</sup> Costs and doe orde<sup>r</sup> & require the said Seamen to repajre to the said ship and Attend their duty

Att A Court of Assistant[s] held at Boston 5<sup>th</sup>  
Septemb<sup>r</sup> 1682

present  
Symon Bradstreet Esq<sup>r</sup>  
Go<sup>d</sup>

The Danforth Esq<sup>r</sup> dep<sup>t</sup>  
Go<sup>d</sup>

Daniel Gookin  
Daniel Dennison  
W<sup>m</sup> stoughton  
Peter Bulkley  
Nath Saltonstall  
Humphry Davy  
Sam. Nowell  
Jn<sup>o</sup> Hull  
James Russell  
Bartho. Gidney  
sam Apleton  
Robt Pike

Esq<sup>rs</sup>.

[s]rand

[J]ury for tryalls

of y<sup>e</sup> attaint were  
sworne. —

[m<sup>r</sup>] Jonas Clarke  
Robert walker  
Arthur mason  
Gamaliel way<sup>t</sup>  
James Pemberton  
Laurenc Douse  
Rich<sup>d</sup> Loudon  
Edw<sup>d</sup> [Ca]rrington  
Jn<sup>o</sup> Peirpoint  
Phillip Torrey  
Tho Toleman se<sup>n</sup>  
Tho Trott se<sup>n</sup>  
Jacob Hewens se<sup>n</sup>  
w<sup>m</sup> manning  
[N]ath<sup>s</sup> Sparhanke  
Joseph Beamis  
Jn<sup>o</sup> whitney  
Joseph child :=

The Grand Jury brought in their presen<sup>t</sup>ment  
leaving Jf<sup>o</sup> Neponet Indian to his further Tryall  
e<sup>r</sup>

'm<sup>r</sup> Jn<sup>o</sup> Saffyn 'm<sup>r</sup> John Joyliff ^ 'Cap<sup>t</sup> Elisha  
Hutchinson 'm<sup>r</sup> John faireweath<sup>r</sup> 'Cap<sup>t</sup> Tho Bratle  
being presented to y<sup>e</sup> Court w<sup>th</sup> (m<sup>r</sup> Antho. Stoddard<sup>3</sup>  
& Cap<sup>t</sup> Jn<sup>o</sup> walley Absent) tooke their oath<sup>s</sup> in open  
Cour<sup>t</sup> as Commissione<sup>r</sup>s for the Toune of Boston for  
one yeare & till new be chosen as Attests E R S

Richard shatswell plaintiff in an Accon of Appeale  
on Attaint Cont<sup>a</sup> Nehe[mi] Jewet deffend<sup>t</sup> after the  
virdict of y<sup>e</sup> Jury & evidences in the Case produced  
were Read Comitted to the Jury and are on file w<sup>th</sup> the  
Reccords of this Court the Jury brought in their virdict  
they found for the deffendant Confirmation  
of the form<sup>e</sup> Judgment<sup>s</sup> & Costs of Courts 1<sup>th</sup> 17 1.

Thomas Baker plaintiff e<sup>r</sup> in an Action of Appeale  
ag<sup>t</sup> Left Jn<sup>o</sup> Putnam deffend<sup>t</sup> in an Action of Appeale  
from the Judgment of the County Court at Salem  
After the Attachm<sup>t</sup> Courts Judgment Reasons of Ap-  
peale & evidences in the Case produced were read  
Comitted to the Jury & are on file w<sup>th</sup> the Reccords of  
this Court the Jury brought in their virdict they found  
for the deffendant Confirmation of the forme<sup>r</sup> Judgment  
& Costs of Courts fowe<sup>r</sup> pounds one shilling & sixepenc.

Joseph fletcher in behalfe of Jn<sup>o</sup> march & Jemima his wife plaint  
aga[inst] Hugh march se<sup>n</sup> deffendant in an Action of Appeale from  
the Judgment of the County Court at Ipswich after the Attachment  
Courts Judgment Reasons of Appeale & evidences in the Case produced  
were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this  
Court the Jury brought in their virdict they found Confirmation of the  
forme<sup>r</sup> Juries spetiall virdict viz<sup>t</sup> If the Acquittance in the deed doth  
Acquitt Hugh march from his promise vpon marriage to Joseph fletcher  
on the behalf of Jn<sup>o</sup> march & Jemima his wife then wee finde for the

deffendant Costs of Courts otherwise wee finde for the plaintiffe one hundred thirty & two pounds in or as money & Costs of Courts The magists on pervsall of this virdict finds for the plaintiff & his Costs Granted was sixe pounds eleven shillings —

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Joseph webb plaintiff in an action of Appeale ag<sup>t</sup> m<sup>r</sup> sam shrimpton & Cap<sup>t</sup> Pen Tounesend deffend<sup>s</sup> from the Judgm<sup>t</sup> of the Comissione's Court in Boston After the Courts Judgm<sup>t</sup> Reason of Appeale Attachm<sup>t</sup> & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts twenty nine shillings & nine pence —

Jn<sup>o</sup> wilkins plaintiff ag<sup>t</sup> Ingerman Helge'son deffend<sup>t</sup> in an Action of Appeale from the Judgment of the Comission's Court in Boston after the Attachm<sup>t</sup> Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury

brought in their virdict they found for the

[1. 6]

[9]  
exec

deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts — twenty three shillings & 3<sup>d</sup>

Sarah Hawthorn widdow & Nathaniel Haw<sup>t</sup>horn hir son plaintiff<sup>s</sup> against Josiah Roades deffendant in an Accon of Appeale from the Judgment of the County Court at Salem After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this court the Jury brought in their virdict they found Confirmation of the former Judgm<sup>t</sup> the horse sued for & Costs of Courts three pounds nineteen shillings & tenn penc. —

The Jury for Tryall of the Accon of Attaint sworn both together

— — —  
m<sup>r</sup> Tho Sandford 1 Jur

Samuel cheeckley

Sam Gary

Jn<sup>o</sup> withrington

Jn<sup>o</sup> Dauls

w<sup>m</sup> marshall

Samuel Douse

Pyam Blower

Tho Prentice

Jn<sup>o</sup> Benja[<sup>min</sup>]

Isack mixer

Nath Holland

~~Rich<sup>d</sup> Crispe~~

2 Jur

Caleb Sever

James Clarke

Daniel Preston

David Jones

Zackry Long

matthew Solle

Zakery Johnson

Daniel champney

Tho: olliver

Tho: fanning

Tho: flegg

Cap<sup>t</sup> w<sup>m</sup> G[er]<sup>s</sup> in

m<sup>r</sup> Crisp's Room

and m<sup>r</sup> Benjn

walker in room of

fading

— — —

Seth perry plaintiff against John Hurd deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court in Boston After the

Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the  
 Case produced were read Comitted to the Jury & are  
 Perry ag<sup>t</sup> Hurd on file w<sup>th</sup> the Reccords of this Court the Jury brought  
 in their virdict they found for the deffend<sup>t</sup> Confirmation of the former  
 Judgm<sup>t</sup> & Costs of Courts —

Isaak waldron plaintiff ag<sup>t</sup> Theophilus ffary  
 waldron Con<sup>ts</sup> Jn<sup>o</sup> wing c<sup>r</sup> deffend<sup>ts</sup> in an Accon of Appeale from  
 ffary wing c<sup>r</sup> the Judgmt of the County Court last in Boston After  
 the Attachm<sup>t</sup> Courts Judgm<sup>t</sup> reasons of Appeale & evidences in the  
 Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the  
 Reccords of this Court the Jury brought in their virdict they found  
 for the deffendants Confirmation of the former Judgmen<sup>t</sup> & Costs of  
 Courts forty six shillings —

Isaack waldron plaintiff ag<sup>t</sup> John wisewall Ju<sup>n</sup> deffend<sup>t</sup> in an  
 Accon of Appeale from the Judgm<sup>t</sup> of the las<sup>t</sup> County Court in Boston  
 waldron ag<sup>t</sup> wisewall After the Attachm<sup>t</sup> Courts Judgment Reasons of  
 Appeale & evidences in the Case produced were read  
 Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the  
 Jury found for the deffend<sup>t</sup> Confirmation of the former Judgmen<sup>t</sup> &  
 Costs of Courts 28<sup>s</sup> 8<sup>d</sup>

mannasseth Becke plaintiff ag<sup>t</sup> Symon Gale \* deffend<sup>t</sup> in an  
 Accon of Appeale from the Judgment of the las<sup>t</sup> County Court in Boston  
 Beck ag<sup>t</sup> Gates After the Attachment Courts Judgmen<sup>t</sup> Reasons of  
 Appeale & othe<sup>r</sup> evidences in the Case produced were  
 read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court  
 the Jury brought in their virdict they found for the deffendant Con-  
 firmation of the former Judgmen<sup>t</sup> & Costs of Court<sup>s</sup> thirty shillings &  
 tenn penc & w<sup>ch</sup> was p<sup>d</sup> him w<sup>th</sup> y<sup>e</sup> 4<sup>s</sup> damage [by E R S]

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m<sup>r</sup> HerLakenden Symonds plaintiff against Hud-  
 son Leueret deffendant in an Action of Appeale from  
 Symo[nds] Con<sup>ts</sup> the Judgmen<sup>t</sup> of the County Court in Boston After  
 Leueret the Attachment Courts Judgment reasons of Appeale & evidences in  
 the Case were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords  
 of this Court the Jury brought in their virdict they found for the

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\* The name was probably "Gates" as given in the margin.

deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Court y<sup>e</sup> plaintiff desired his bond might be chancerjed both partjes Appearing The Court chanceried the Bond to one hundred & thirteen pounds thirteen shillings mony & Costs of Courts: and ordered that before execution Issue out m<sup>r</sup> Leueret deliver vp to the said Herlakenden Symonds all deeds bonds & writtings that he hath had and now hath in his hands of the said symonds = The said Hudson Leueret Came & in the open Court & deliued vp as he said all his deeds bonds & writtings to the said m<sup>r</sup> Symonds wch said m<sup>r</sup> Symonds received and acknowledged in Court y<sup>e</sup> they were all memo<sup>rd</sup> y<sup>e</sup> day m<sup>r</sup> Epps once And againe said he tendered m<sup>r</sup> Symonds person and desired to know whither he was freed m<sup>r</sup> Leueret in Court declar'd m<sup>r</sup> Epps was free and that he was satisfied & had nothing to say as to him =

m<sup>r</sup> Richard martyn plaint against Thomas Rost  
deffendant in an action of Appeale from the Judgment  
of the County Court at Boston After the Attachment Courts Judgment  
Reasons of Appeale & evidences in the Case produced were read  
Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the  
Jury brought in their virdict they found for the deffendant Confirmation  
of the forme<sup>r</sup> Judgment & Costs of Courts sixteen shillings & six  
pence

*martyn ag<sup>t</sup> Rost*

Jn<sup>o</sup> williams plaintiff against Jn<sup>o</sup> Brookings  
defendant In an Action of Appeale from the Judgment  
of the County Court at Boston after the Attachment Courts Judgment Reason<sup>s</sup> of Appeale & evidences  
in the Case produced were read Comitted to the Jury & are on file  
the Jury brought in their virdict they found for the plaintiff Confirmation  
of the forme<sup>r</sup> Judgment & find Costs of this Court for the  
deffendant =

*W<sup>ms</sup> ag<sup>t</sup> Brookin  
exec Issued out for  
y<sup>e</sup> costs*

m<sup>r</sup> Thomas Thatcher plaintiff ag<sup>t</sup> Humphry Davy  
Esq<sup>r</sup> After the attachm<sup>t</sup> Courts Judgment Reason of  
Appeale & evidences in the Case produced were read  
Comitted to the Jury & are on file w<sup>th</sup> the Reccords of  
this Court the Jury brought in their virdict they found  
for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment  
& Costs of Courts twenty three shillings & six pence

*Thatcher ag<sup>t</sup> m<sup>r</sup>  
Davy  
execution Issued out  
5 dec 82 for 30.  
2<sup>s</sup> —  
Judgm<sup>t</sup> 28<sup>th</sup>. 19<sup>th</sup>. mo.*

Exec. Issud [out  
paid?] Jn<sup>o</sup> ffisher plaintiff ag<sup>t</sup> Returne wayte defendant  
in an Action of Appeale from the Judgment of the  
County Court in Boston After the Attachment Courts  
Judgment Reasons of Appeale & evidences in the Case  
produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords  
of this Court the Jury brought in their virdict they found for the  
deffendt Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts thirty  
two shillings & fowe<sup>r</sup> pence

Holman ag<sup>t</sup> Deering ti<sup>ss</sup> ag<sup>t</sup> Henry Deering Attorney to \* michel-  
[paid] — son deffendant in an Action of Appeale from the  
Judgment of the County Court In Cambridge the Reasons not being  
signed by y<sup>e</sup> plantiff he was nonsuited but on y<sup>e</sup> deffend<sup>t</sup> declaring  
he was not willing to take any Advantag y<sup>e</sup> Accon proceeded & After the  
Attachments Courts Judgment Reasons of Appeale & evidences in  
the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the  
Reccords of this Court the Jury brought in their virdict they found  
for the deffendant Confirmation of the former Judgment & Costs of  
Courts forty two shillings & fowe<sup>r</sup> pence

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Jn<sup>o</sup> Gifford plaintiff ag<sup>t</sup> Thomas walte<sup>r</sup> & Rich<sup>d</sup> midlecot deffend<sup>ts</sup>  
in an action of Appeale from the Judgment of the County Court in  
Boston After the Attachm<sup>t</sup> was Read e<sup>r</sup> y<sup>e</sup> deffendts pleading for a  
non suit the Court declared a non suite — It hauing  
m<sup>r</sup> Jn<sup>o</sup> Giffords binn tryed at y<sup>e</sup> Gennerall Court || Granting him his  
appeale Costs 14<sup>s</sup>. but || on m<sup>r</sup> Gifford's deliuering a paper In-  
formation or petition In Ans<sup>r</sup> thereto The Court declare<sup>s</sup> that m<sup>r</sup>  
Gifford shall be heard in Case he Cann proove that this is a new Action  
& different from that which the Genn<sup>l</sup> Court hath heard & determined  
that m<sup>r</sup> walte<sup>r</sup> & m<sup>r</sup> midlecot haue notice to Attend after dinner  
m<sup>r</sup> Gifford was brought m<sup>r</sup> walte<sup>r</sup> Appeared but on hearing what  
the Court was about turnd away & went out of Court though Called to  
Attend. After the Court had heard m<sup>r</sup> Gifford & vejwed seuerall of  
his pape's wch are on file It was put to the voat those that are of the  
minde that m<sup>r</sup> walters had no powe<sup>r</sup> by his letter of Attorney let them  
hold vp their hands, not one held vp & so y<sup>e</sup> Case Issued —

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\* This space left blank in the record.

m<sup>r</sup> Jn<sup>o</sup> Hoare Attorney & Assignee of Daniel Hoare plaintiffe *et* ag<sup>t</sup> w<sup>m</sup> Kilcup defend<sup>t</sup> in an Accon of Appeale from the Judgment of the County Court at Boston the \* Case was Called plaintiff & deffend<sup>t</sup> Appeared the Attachment & Courts Judgment was Read the deffendant pleading for a non suite & the plaintiff for his reasons of Appeale Given in to be read the plaintiff giving in the Genn<sup>l</sup> Courts order debarring him *et* his reasons signed by him was read the Court Considering the Gen<sup>l</sup> Courts order declared the Case Could not proceed :

m<sup>r</sup> Hoar. nonsuted

Richard Collicot & Nathaniel Greenwood plaintiff<sup>s</sup> ag<sup>t</sup> Jn<sup>o</sup> Sea's deffendant in an Action of Appeale from the Judgment of the County Court at charles-Towne After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff's Reuersion of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts fuety two shillings & six pence —

Collicot *et* Contra  
Sears

execu: Issued out  
9, octob: 82

Jn<sup>o</sup> Trumble plaintiff ag<sup>t</sup> Thomas Peck deffendant in an accon of Appeale from the Judgment of the Comissione's Court in Boston After the Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts

exec Issued out for  
11: 16. 10 13<sup>th</sup> mo 82  
[Eng<sup>r</sup>]

Edward Randolph Esq<sup>r</sup> Collector *et* by his libell<sup>s</sup> complaint<sup>s</sup> & Attachmen<sup>t</sup> bearing date 7 September 82 plaintiff ag<sup>t</sup> Robert wallis master of the pinck good hope as in the sajd libell Comp<sup>t</sup> *et* in all respects more at larg Appeareth Refferenc thereto being had deffendt After the libell Information *et* was Read & evidences produced in the Case Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Costs of Court

8<sup>th</sup> Septemb 1682  
Randolph ag<sup>t</sup>  
wallise

Edw<sup>d</sup> Randolph Esq<sup>r</sup> Collecto<sup>r</sup> *et* plaint In an Action of Appeale ag<sup>t</sup> ag<sup>t</sup>† Jn<sup>o</sup> Pitche<sup>r</sup> and Andrew willet & sloop swallow deffend<sup>t</sup>. from the Judgment

Raldolph ag<sup>t</sup> willet  
*et*

\* Written over "after."

† Repeated in the original.

of the last County Court in Boston after the Information & othe' evidences in the Case were read Comitted to the Jury & are on file y<sup>e</sup> Jury brought in their virdict they found for the defend' Confirmation of the forme' Judgment & Costs of Courts.

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Edward Randolph esq<sup>r</sup> Collecto<sup>r</sup> e<sup>r</sup> plaintiff by  
 m<sup>r</sup> Randolph ag<sup>t</sup> his Complaint or Informa<sup>o</sup>n ag<sup>t</sup> y<sup>e</sup> ketch Newbery  
 Catch Newbery e<sup>r</sup> Isaac Eveleigh ma<sup>r</sup> or Nathaniel Clarke & Dani  
 Dausion own<sup>o</sup>s of sajd Catch deffend<sup>t</sup> vpon breach of the Act of the  
 15<sup>th</sup> of the King as is more particcularly expressed in s<sup>d</sup> Information  
 on Appeale from the Judgment of the last County Cour<sup>t</sup> in Boston.  
 After the Information Reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on file the Jury  
 brought in their virdict they found for the deffendants Confirmation of  
 the forme' Judgment & Costs of Courts.

Edward Randolph Esq<sup>r</sup> plaint ag<sup>t</sup> Andrew willet  
 m<sup>r</sup> Randolph ag<sup>t</sup> own<sup>o</sup> of the sloop swallowe defend<sup>t</sup> In an Action of  
 And<sup>r</sup> willet Appeale from the Judgment of the last County Court  
 & sloop Swallow in Boston After the Attachment Courts Judgment  
 Reasons of Appeale and evidences in the Case produced were read  
 Comitted to the Jury & are on file the Jury brought in their virdict  
 they found for the deffendant Confirmation of the forme' Judgment &  
 Costs of Courts.

The Go<sup>o</sup>d & magists || voted || that the bills of  
 in Boston Costs e<sup>r</sup> ag<sup>t</sup> m<sup>r</sup> Randolph should be suspended till  
 14: of Sept 82 the Council take further orde<sup>r</sup>

Jn<sup>o</sup> Atkinson plaintiff against Jn<sup>o</sup> woolcot de-  
 Atkinson ag<sup>t</sup> ffend<sup>t</sup> in an Action of Appeale from the Judgment of  
 woolcot the County Court at Ipswich After the Attachment  
 Courts Judgment Reasons of Appeale & evidences in the Case pro-  
 duced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords  
 of this Court the Jury brought in their virdict they found for the  
 deffendant Confirmation of the forme' Judgm<sup>t</sup> & Costs of Courts  
 fowe<sup>r</sup> pounds tenn shillings & tenn pence

John Atkinson plaintiff against Jn<sup>o</sup> woolcot de-  
 Atkinson ag<sup>t</sup> ffend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of  
 woolcot Ipswich Court After the Attachm<sup>t</sup> Courts Judgment



Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found Reuersion of the forme' Judgm' and that the deffendant pay the plaintiff tenn shillings mony damage & Costs of Courts five pounds five shillings & eight pence.

John Atkinson plaintiff ag' samuel Buckman deffend' in an action of Appeale from the Judgmt of Ipswich Court After the Attachment Courts Judgmen' Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the plaintiff reuersion of the forme' Judgment & costs of Courts fowe' pounds eighteen shillings =

Atkinson ag'  
Buckman

Jn° Cleoments plaintiff ag' nathaniel merrill deffend' in an action of Appeale from the Judgmt of Ipswich Court After the Attachment Courts Judgmen' Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plantif Reuersion of the former Judgment & that Jn° merrill son of Nathaniel merrill shall serve Jn° Cleoment in the trade of a Carpenter the space of five month[s] or pay to y<sup>e</sup> sajd John Cleoments tenn pounds in Indian Corn barley or Barly mault & Costs of Courts five pounds thirteen shillings & six pence.

Cleoments ag'  
merrill

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Thomas Mekins plaintiff ag' Enos kinsley defend' in an Action of Appeale from the Judgment of the County Court at northampton after the Attachment Courts Judg<sup>mt</sup> reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury & are on file the Jury brought in their virdict they found for y<sup>e</sup> deffendant Confirmation of the former Judgment & Costs of Courts fowe' pounds thirteen shillings & tenn pence =

14<sup>th</sup>  
mekins Cont<sup>s</sup>  
Kinsley

Joseph peasley plaintiff Coñit<sup>a</sup> Josiah clark deffend' in an Ac<sup>on</sup> of Appeale from the Judgment of the County Court at Ipswich the Case was called Attachment & Read no Reasons Appearing signed vnder the Appellants hand & he was non suited =

Peasley ag' Clarke

[ Edward | Barton plaintiff ag<sup>t</sup> Daniel mathew deffend<sup>t</sup> in an  
 Action of Appeale from the Judgment of the County  
 Barton ag<sup>t</sup> mathews Court at Boston After the Attachment Courts Judgment Reason<sup>s</sup> of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts | in all | 3<sup>n</sup> 13

Edward Barton plaintiff Con<sup>ta</sup> Daniel mathew<sup>s</sup> deffend<sup>t</sup>  
 Barton ag<sup>t</sup> mathews in an Action of Appeale from the Judgment of the County Court in Boston after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for y<sup>e</sup> defend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts in all three pounds fowe<sup>r</sup> shillings six pence —

marke Graues pl<sup>t</sup> Con<sup>ta</sup> mathew ffarrington de-  
 20<sup>th</sup> dam : ffendant in an Accon of Appeale from the Judgment  
 Graues ag<sup>t</sup> of the County Court at Salem After the Attachm<sup>t</sup>  
 ffarrington Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in thei<sup>r</sup> virdict they found for the deffend<sup>t</sup> Confirmation of the former Judgment & Costs of Courts

Cap<sup>t</sup> Tho Barret Attorney to ffancis Goffreigh plaint by Edw<sup>d</sup>  
 Barret ag<sup>t</sup> Sprague shippen his Attorney ag<sup>t</sup> Cap<sup>t</sup> Richard Sprague de-  
 ffend<sup>t</sup> in an Accon of Appeale from the Judgment of the last County Court in Boston after y<sup>e</sup> Attachm<sup>t</sup> Courts Judgment Reason<sup>s</sup> of Appeale & evidences in y<sup>e</sup> Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the former Judgm<sup>t</sup> & Costs of Courts thirty nine shillings & two pence

Jn<sup>o</sup> Ajres plaintiff ag<sup>t</sup> Jn<sup>o</sup> ffurnell defend<sup>t</sup> in an action of Appeale  
 from the Judgment of the Comission's Court after  
 Ayres ag<sup>t</sup> ffurnell \* the Attachment Courts Judgment Reasons of Appeale  
 & evidences in the Case produced were read Comitted  
 exec. Issued out to the Jury & are on file the Jury brought in their  
 12 dec. 1683 virdict they found for the plaintiff Reue'sion of the former Judgment & Costs of Courts forty two shigs 9<sup>d</sup> —

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\* Or Farwell ?

Jn<sup>o</sup> Jacob plaint Con<sup>ra</sup> John Gale deffend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of the Comission's Court After the Attachm<sup>t</sup> Courts Judgm<sup>t</sup> reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff seven pounds eleven shillings & fiue penc & Costs of Courts

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Hudson Leueret plaint ag<sup>t</sup> Edw<sup>d</sup> Randolph Esq<sup>r</sup> Collecto<sup>r</sup> e<sup>r</sup> in an action of Appeale from the Judgm<sup>t</sup> of the Commission's Court After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the former Judgm<sup>t</sup> & Costs of Courts —

In Ans<sup>r</sup> to the petition of Ellino<sup>r</sup> Redding the Go<sup>u</sup> & magists Comend the peticone<sup>r</sup> to the selectmen<sup>s</sup> Care & due releife & that they put it on the Tresp<sup>er</sup>s Account as in other Case for y<sup>e</sup> Eastern people —

[Large blank]

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1682

Att A Court of Assistants held at Boston the 6<sup>th</sup> of march 1682

Jn<sup>o</sup> Atkinson plaintiff against James mirrick defend<sup>t</sup> in an action of Appeale from the Judgment of the County Court at Salem the actions was Called Plaintiff made default by his non Appearenc was non suited & his bond forfeited

Hannah Haugh widdow plaintiffe Against Edward willis defend<sup>t</sup> in an Acton of Appeale from the Judgment of the County Court at Boston in october last after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the Defendan<sup>t</sup> Confirmation of the former Judgment & Costs of Courts

present  
Symon Bradstreet  
Esq<sup>r</sup> Go<sup>u</sup>  
Tho Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>u</sup>  
Daniel Gookin  
John Pyncheon  
w<sup>m</sup> stoughton  
Peter Bulkley  
Humphry davy  
Samuel Nowell  
John Hull  
James Russell  
Bartholmew Gidney  
Sam Apleton  
— — — —  
no Cause Appearing  
for y<sup>e</sup> Grand Jury  
they were dismist  
— — — —  
person<sup>s</sup> Returnd to  
Serve on the Jury  
of trjalls for Ap-  
peales e<sup>r</sup> 1 Jury  
— — — —

m<sup>r</sup> Joseph Cooke  
 Samuel Turill  
 daniel Quinsey  
 Peter Towne  
 w<sup>m</sup> Clough  
 Jacob Hurd  
 Henry Bowen  
 Jonathan Peake  
 Rich<sup>d</sup> child  
 Nath : Basham  
 Tim<sup>thy</sup> Mather  
 Tho : Trott.  
 — — —

2 Jury for tryalls  
 for Appeales e<sup>r</sup>

m<sup>r</sup> Tho Jenner  
 Sam. Bridg :  
 Tim<sup>o</sup> Clarke  
 James Townsend  
 Samuel Ballard  
 Samuel Gore  
 Tho Bacon  
 Joseph Beamis  
 Jn<sup>th</sup> Browne  
 obadiah Hawes  
 Tho Toleman  
 Jn<sup>o</sup> Jackson  
 XJn<sup>o</sup> Howie

Nathaniel Byfield Attorney to Daniel Raymond  
 plaintiff Contra Robe<sup>t</sup> orchard deffendant in an  
 Action of Appeale from the Judgment of of \* the  
 County Court held in Boston as to a non suite After  
 the Attachm<sup>t</sup> was Read & evidence on the plaintiffs  
 plea<sup>s</sup> for a non suit & deffend<sup>s</sup> Ans<sup>r</sup> The Court  
 declared they Approoved of y<sup>e</sup> County Courts execut.  
 Judgment & that there should be no stop of the exe-  
 cution from the County Court g[r]a<sup>n</sup>t<sup>i</sup>ng y<sup>e</sup> defend<sup>t</sup> his  
 costs at this Court

m<sup>r</sup> w<sup>m</sup> Parks  
 in case of  
 Solom<sup>o</sup> Phipps e<sup>r</sup>

Solomon Phips & Josiah wood plain-  
 tiff<sup>s</sup> ag<sup>t</sup> Benanuel Bowe's deffendant in an  
 Action of Appeale from the Judgment of  
 the County Court at Cambridg las<sup>t</sup> in octobe<sup>r</sup> After y<sup>e</sup>  
 Attachm<sup>t</sup> Courts Judgment Reasons of Appeale and  
 evidences in the Case produced were read Comitted to  
 the Jury & are on file the Jury brought in their vir-  
 dict i : e a speciall virdict If according to law the  
 selectmen of Charls Towne haue powe<sup>r</sup> to stint &

ljm<sup>i</sup>tt what number of Catle the occupie's of m<sup>r</sup> † Lidg<sup>e</sup>t's farme shall  
 keepe on the Account of such land as lye vn<sup>f</sup>enced to charls Towne  
 Comon then wee finde for the plaintiff a Reuersion of the forme<sup>r</sup> Judg-  
 ment & Costs of Courts if not for the deffend<sup>t</sup> a Confirmation of  
 the former Judgment & Costs of Courts — The magists finds for the  
 plaintiff

m<sup>r</sup> saffyn & m<sup>r</sup> Vsher Came into y<sup>e</sup> Court & declared they At-  
 tainted the Jury for error & sajd Jn<sup>o</sup> Vsher acknowledged himself  
 bound in twenty pounds & m<sup>r</sup> Richard wharton his sue<sup>t</sup>y in tenn  
 pounds to the Tresp<sup>er</sup> of the Country on this Condi<sup>c</sup>o that sajd Jn<sup>o</sup>  
 vsher shall prosecute this his Attaint at the next Court of Assistants  
 to effect — as Attests E R S

Josiah wood & Tho white plaintiff ag<sup>t</sup> Benanuel Bowe's deffend<sup>t</sup> in  
 an Ac<sup>o</sup>n of Appeale from the Judgm<sup>t</sup> of the County Court at Cambridg  
 in october || last || After the Courts Judgm<sup>t</sup> Reasons of Appeale & eu-  
 idences in the Case produced were read comitted to y<sup>e</sup> Jury & are on  
 file the Jury brought in their virdict a speciall virdict i e If accord-  
 ing to law the selectmen of charls Towne haue powe<sup>r</sup> to stint & ljm<sup>i</sup>tt

\* "Of" repeated in the record.

† Error in the record for "M<sup>r</sup>s" ?

what number of Cattel y<sup>e</sup> occupie's of m's Lydgetts farme shall keepe on the Account of such lands as lye vnfenced to Charls Towne Comon then wee find for the plaintiff a reuersion of the former Judgm<sup>t</sup> & costs of Courts if no<sup>t</sup> for the deffendant a Confirmation of the former Judgm<sup>t</sup> & Costs of Courts The magists in this Case finds for the plaintiff<sup>s</sup> m<sup>r</sup> Jn<sup>o</sup> Vshe<sup>r</sup> Attainted y<sup>e</sup> Jury for erro<sup>r</sup> & sajd Jn<sup>o</sup> vshe<sup>r</sup> principall ¶ in 20<sup>th</sup> ¶ & Richd wharton his suerty in tenn pounds acknowledged themselues alike bound to y<sup>e</sup> Tresurer of the Country on Condition that sajd vshe<sup>r</sup> p<sup>ro</sup>secut this his Attaint to effect at y<sup>e</sup> nex<sup>t</sup> Court of Assistants.

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1682

Daniel Gookin Esq<sup>r</sup> plaintiff Contra Cap<sup>t</sup> Jn<sup>o</sup> than wade deffend<sup>t</sup> in an Accon of Appeale from the Judgment of the County Court at charls Towne After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Costs of Courts thirty one shillings & fowe<sup>r</sup> pence

Dani Gookin esq<sup>r</sup>  
contra Jn<sup>o</sup> wade

m<sup>r</sup> Thomas Layton Andrew mansfeild & John Burrell plaintiff ag<sup>t</sup> Tho. Browne deffendt in An Action of Appeale from the Judgment of the County Court at Salem After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale and evidences in the Case produced were read Comitted to the Jury and are on file with the Records of this Court the Jury brought in their virdict they found for the plaintiff<sup>s</sup> reuersion of the former Judgment & the land in Controversy w<sup>th</sup> Costs of Courts nine pounds five shillings

Laughton mansfeild  
[&] Burrell Attur-  
neys for Towne of  
lynn Cont. Tho  
Browne

Moses Peirse plaintiff Cont<sup>a</sup> Benjamin mumford deffend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of the last County Court in Boston After the Attachm<sup>t</sup> Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts fiuety nine shillings & eigh[t] pence y<sup>e</sup> Jury declard y<sup>e</sup> medled no<sup>t</sup> w<sup>th</sup> the title of land =

Peirse Cont<sup>a</sup>  
Mumford exec  
Issued out

Joseph Crosby plaintiff Conta Joseph Addams deffend' in an Action of Appeale from the Judgment of the last County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendt Confirmation of the former Judgm' & Costs of Courts two pounds fiueteen shilling & two pence.

Crosby Cont<sup>a</sup>  
Addams

Josiah Torrey plaintiff Cont<sup>a</sup> Tho: Gretian deffendant in an Action of Appeale from the Judgment of the last County Court in Boston After the Attachm<sup>t</sup> was Read<sup>||</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaint a Confirmation of the former Judgment and thirty pounds fiue shillings and seven pence more in mony & costs of Courts y<sup>e</sup> deffend<sup>t</sup> Tho Gretian said he Attained the Jury for erro's & Instanc<sup>t</sup> pticularly because the Jury had given thirty pounds fiue shillings & seven pence more then the proceeds of that voyage w<sup>th</sup> what othe<sup>r</sup> he shall make Appeare: And said Thomas Gretian principle & m<sup>r</sup> Anthony checkley & Left Edward willis suretyes acknowledged themselves & heires bound Tho Gretian in 20<sup>li</sup> & y<sup>e</sup> suretjes in tenn pounds apeec to the Trespere of the Country & partjes Concerned that said Gretian shall prosecute his Atteyn<sup>t</sup> at the nex<sup>t</sup> Court of Assistants to effect

x y<sup>e</sup> pleas of y<sup>e</sup>  
deffend<sup>t</sup> heard for  
a non suit y<sup>e</sup> Court  
declaring y<sup>e</sup> Case  
should proceed to  
tryall

Torry ag<sup>t</sup> Gretian

an Attajnt

m<sup>r</sup> Jo: Cook  
foreman =

1682

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wayte Cont<sup>a</sup> Homes  
exec Issued out

Returne wayt plaintiff ag<sup>t</sup> Joseph Homes Atturney to Stephen Sweathy deffend' in an Acton of Appeal from the Judgm<sup>t</sup> of the County Court in Boston After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the plaintiff reuersion of the former judgment & Costs of Court<sup>s</sup> forty shillings & six pence =

Newby cont<sup>a</sup> Hinch-  
man  
exec Issud

Georg Newby plaintiff ag<sup>t</sup> Jn<sup>o</sup> Hinchman deffend' in an Action of Appeale from the Judgm<sup>t</sup> of the Commission's Court after the Attachm<sup>t</sup> Courts Judgment

Reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury & are on file the Jury brought in their virdict they found for y<sup>e</sup> deffend<sup>t</sup> Confirmation of the former Judgm<sup>t</sup> & Costs of Courts 6. 6<sup>d</sup>

Return wayte plaintiff against Jn<sup>o</sup> Plumbe deffend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of the County Court in Boston after the Attachm<sup>t</sup> Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Records of y<sup>e</sup> Court the Jury brought in their virdict they found for the defend<sup>t</sup> Confirmation of the former Judgm<sup>t</sup> & Adds twenty shillings more therevnto w<sup>th</sup> costs of Court: Jn<sup>o</sup> Plumbe in open court declar'd he was Agred w<sup>th</sup> Return wayt

In Ans<sup>r</sup> to the petition of Elizabeth street wife to Robe<sup>t</sup> street Humbly desiring she may be diuorc<sup>d</sup> from hir s<sup>d</sup> Husband she producing se<sup>u</sup> witnesses of his breach of Couen<sup>t</sup> & y<sup>t</sup> he hath another wife in Jamajca. The Cour<sup>t</sup> on pvsall of the evidences declares the peticone<sup>r</sup> is at libe<sup>r</sup>ty to marry w<sup>th</sup> another man and that she is divorc<sup>d</sup>.

Roge<sup>r</sup> Gilbe<sup>t</sup> plaintiff Cont<sup>a</sup>: Isa<sup>ck</sup> waldron deffend<sup>t</sup> in an accon of Appeale from the Judgm<sup>t</sup> of the County Court at Boston After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts

The newman Cont<sup>a</sup> Lesly Palmer w<sup>th</sup>drawne p Agreement

Antho checkly plaintiff cont<sup>a</sup> Rich<sup>d</sup> Patteshall deffend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of y<sup>e</sup> County Cour<sup>t</sup> at Boston w<sup>th</sup>draune p Agree<sup>m</sup>t

[158]

1683

Att the Court of Assistants Adjourn<sup>t</sup> 17<sup>th</sup> of Aprill 1683

present  
Symon Bradstreet  
Esqr Go<sup>d</sup>

The Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Gott

Daniel Gookin }  
w<sup>m</sup> stoughton } Esq<sup>rs</sup>  
Humphry Davy }  
Sam<sup>l</sup> Nowell }  
John Hull }  
James Russell }

persons Returnd to  
serve on the Jury for  
trjalls & sworne be-  
fore the prisoner  
who mad no objec-  
tions e<sup>r</sup> were

— — — —  
m<sup>r</sup> Samuel shrimp =  
ton

Robert Hayward  
Tim<sup>s</sup> Tyleston  
Samuel Hix  
w<sup>m</sup> meade

Tobjah Davis  
John knights  
Joseph Kitle  
Joseph Tainter  
Benj<sup>m</sup> Garfield  
Zackh. Hicks  
Natha<sup>s</sup> Hancock  
— — — —

Elisabeth Payne spinster being presented by the Grand Jury, in march last\* for murdering of hir child was now brought to the Barr & Indicted by the name of Elizabeth Payne spinster for no<sup>t</sup> hauing the feare of God before hir eyes & being led by the Instigation † of the diuill did on or about the 6<sup>th</sup>

day of march last wilfully murde<sup>r</sup> hir child Contrary to the Peace of ou<sup>r</sup> Soueraigne Lord the king his Crowne & dignity the lawes of God and of this Jurisdiction holding vp hir hand at the Barr pleaded no<sup>t</sup> Guilty & put himself on tryall by God & the Country = Accordingly after the Indictment & evidences produced were read Comitted to the Jury and are on file the Jury brought in their virdict no<sup>t</sup> Guilty according to Indictmen<sup>t</sup> but greatly negligent in not Calling for help for the preservation of the childs life =

The Court on Consideration of the Case for hir fornication sentenct hir to be whip<sup>t</sup> w<sup>th</sup> twenty stripes paying & dischargding the charge of hir trjall & fees of Court stands Comitted till the sentence be performed. =

James ffulle<sup>r</sup> of springfeild being presented by the Grand Jury in ma[rch] last & left to further Tryall at this Court was brought to the Barr & held vp his hand & || there || was Indicted accordingly by the name of James ffuller of Springfeild for that he not hauing the feare of God before his eyes & being lead by the Instigation of the diuill did on or about the latter end of octobe<sup>r</sup> last most wickedly Call vpon or pray to the Diuill for helpe and hath at seuerall times since had familiarity w<sup>th</sup> him Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the king his Croune & dignity & the lawes of || God & of || this Jurisdiction = After the Indictment & evidenc produced agains<sup>t</sup> him was Read he owning the charge as sajd by him but denyed the trueth of it saying he had belyed himsele || his examination & [confession being] || comitted to the Jury and are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found the prisoner at the barr not Guilty according to Indictment: The Court Consi[der]ing of his wicked & pernicious willfull lying & Continuane in it till now putting the Country to so great a charge

\* Quere. See marginal entry at opening of this Court (p. 228) as to Grand Jury not having any cause before it.

† Written over the word "diuill."



sentenct the said James ffuller to be seuerely whipt w<sup>th</sup> thirty stripes seuerely lajd on & that he pay five pounds mony to the Trespere<sup>r</sup> of the Country to dischargd the chardges of his triall paying fees of Court<sup>x</sup> stands Comitted till the sentence be pformd. \*and that in Case y<sup>e</sup> s<sup>d</sup> five pounds be not p<sup>d</sup> by y<sup>e</sup> s<sup>d</sup> ffuller w<sup>th</sup>in a month Its left w<sup>th</sup> y<sup>e</sup> Trespere<sup>r</sup> of y<sup>e</sup> Country to ship him of & dispose of him as he Cann not || exceeding || fower yeares to Ans<sup>r</sup> the charges past E R S

24 may  
(88)

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1683

In Ans<sup>r</sup> to the peticon of m's mary Sauage: The Court doth Ap- point m<sup>r</sup> willjam Parkes m<sup>r</sup> Joseph Lynde & Cap<sup>t</sup> Penn Townsend a Committee to set out vnto m's mary Sauage relict of the Late Thomas Sauage Esq<sup>r</sup> hir thirds According to law. and to doe it w<sup>th</sup> what speed they Cann: And deacon w<sup>m</sup> Parkes is to Appoint time & place of meeting =

In Ans<sup>r</sup> to the petition of Ann Perry for a divorce from hir hus- band e<sup>r</sup> The Court hauing Considered of the Case see<sup>s</sup> no Cause to grant hir request =

Att a Court of Assistants Called to sitt & sate in Boston 22<sup>th</sup> of may 1683

at this Court mary Webster wife to w<sup>m</sup> webster of Hadly being sent downe vpon suspition of witch- craft & Comitted to prison in order to hir tryall was brought to y<sup>e</sup> Barr the Grand Jury being Impannell ~~she not excepting against any of them~~ the \* Grand Jury on pervsall e<sup>r</sup> of the evidences Returnd that as y<sup>e</sup> Grand Jury for ou<sup>r</sup> soueraigne Lord the king they did Indict mary webster wife to w<sup>m</sup> webster of Hadly for that she not hauing the feare of God before her eyes & being instigated by the diuill hath entred into Couenant & had familiarity w<sup>th</sup> him in the shape of a warraneage† & had hir Imp<sup>s</sup> sucking hir & teats or marks found in hir secret parts as in & by seuerall testimonyes may Appeare Contrary to the peace of our Soueraigne Lord the king his Crowne & dignity the

present  
Symon Bradstreet  
Esq<sup>r</sup> Go<sup>d</sup>  
The Danforth Esq<sup>r</sup>  
dep<sup>s</sup> Go<sup>d</sup>  
Daniel Gookin  
Jn<sup>r</sup> Pynchon  
W<sup>m</sup> stoughton  
Humphry Dauy  
Sam: Nowell  
Jn<sup>r</sup> Hull  
James Russell  
Peter Tylton  
Daniel ffisher —  
— — —  
persons Returnd  
to serue on the  
Grand Jury &  
sworne were  
m<sup>r</sup> James  
Whetcombe

\* Written over "held."

† An Indian name for a black cat. — Judd. See Drake's "Annals," p. 170.

Thomas moore  
 Eljakim Hutchinson  
 Jer fitch  
 Joseph How  
 Eljas Row  
 Richard Loudan  
 Phillip Torrey  
 J<sup>no</sup> watson  
 Isack Jones  
 w<sup>m</sup> Pond  
 Richd Eccles  
 W<sup>m</sup> Bond  
 J<sup>no</sup> Brett  
 — — — —

lawes of God & of this Jurisdiction <sup>^</sup> on their serious  
 Consideration of the testimonjes did leaue hir to fur-  
 ther Tryalle

Christopher Portingall being Accused for Com-  
 itting a Rape on the body of Abigaile Crane as by  
 hir Confession & examination appeares The Court  
 ordered them to stand Comitted till they Give bond for  
 their Appearance at the next County Court at charls  
 Towne to Answe<sup>r</sup> what shall be lajd to their charge —

Peter Addams of milton being Comitted to Goale for his stealing  
 a horse or horses <sup>^</sup> —

This Court Adjourned themselues to the 24 Instant at two of the  
 clocke —

then mett & Adjourned Againe to 31<sup>th</sup> Instant at y<sup>e</sup> same time

[Blank]

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present  
 Tho. Danforth Esq<sup>r</sup>  
 dep<sup>t</sup> Go

Daniel Gookin  
 w<sup>m</sup> stoughton  
 Humphry Davy  
 Sam Nowell  
 J<sup>no</sup> Hull  
 James Russell  
 Dani<sup>l</sup> flaher  
 — — — —

persons Returnd to  
 serve on the Jury &  
 sworn were

— — — —  
 m<sup>r</sup> Edward willis  
 Francis fowereft  
 Adam winthrop  
 Sam Legg  
 w<sup>m</sup> Gard  
 Roger willington

At A Court of Assistants or Admiralty Called  
 to sitt in Boston & satt in Boston 8<sup>th</sup> June 1683

m<sup>r</sup> Barnard Randolph deputy Collecto<sup>r</sup> searcher  
 & surveyo<sup>r</sup> of his maj<sup>ties</sup> Customes in New England  
 by his Information <sup>e<sup>r</sup></sup> dated the first of June 1683.  
 then exhibbited (reference thereto being had amply  
 doth & may Appeare) plaintiff against m<sup>r</sup> Edward Le-  
 Brunn master and merchant of the Good ship called  
 the martha of Jersey w<sup>th</sup> hir Cargoe and Appurte-  
 nances to hir belonging deffendant After the Infor-  
 mation plea<sup>d</sup> and evidences in the Case Given into the  
 Court were read Comitted to the Jury and are remayn-  
 ing on file with the Records of this Court The Jury

brought in their virdict they found for the defendant  
Costs of Court [five] pounds six shillings —

Henry Spring  
w<sup>m</sup> Foster  
Sam. Andrews  
Joseph Cooke  
J<sup>n</sup> Gore  
Joshua [La \*]  
J<sup>n</sup> Brick[e] [vide]  
day booke

This Court was adjourned to y<sup>e</sup> 14 June next & thence to the 21<sup>th</sup>  
& so from weeke to weeke to y<sup>e</sup> 5 July 1683. E. R. S

[Blank]

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1683

Att A Court of Assistants held at Boston on their  
Adjournm<sup>t</sup> 5<sup>th</sup> July 1683.

present  
Symon Bradstreet  
Esq<sup>r</sup> Go<sup>th</sup>  
Daniel Gookin  
w<sup>m</sup> stoughton  
Humphry Davy  
Samuel Nowell  
A James Russell  
A John Hull †

In Answe<sup>r</sup> to the petico<sup>n</sup> & Complaint of m<sup>r</sup> John  
Gyfford exhibbited to this Court in refferenc to a  
Judgment obteyned by him the sajd Gyfford against  
m<sup>r</sup> Thomas walte's, at the Court of Assistants in Sep-  
tember 1680 to the value of sixty three pounds odd money, yet vn-  
satisfied as he Informes and Complaines This Court vpon perversall and  
examination of the whole proceeding therein doe finde that through the  
misinformation of the sajd walter & mistake of the officer e<sup>r</sup> the sajd  
Judgment is not yet satisfied according to law, either in money or other  
reall and proper estate of the sajd walters and therefore doe Judge  
& declare the office's returne vpon the execution to be  
nul & voyd to all Intents & purposes whatsoever, And  
doe heereby orde<sup>r</sup> and Appoint the Secretary to renue  
the sajd Execution according to the law Ann<sup>o</sup> 1674  
title Judgments frustrated e<sup>r</sup> & the marshall Gennerall forthwith to  
execute or serve it accordingly. so past E R S

execution Issued out  
& dd y<sup>e</sup> marshall  
Gen<sup>th</sup>

[Blank]

present  
Symon Bradstreet  
Go<sup>th</sup>mo<sup>r</sup>

Att A Court of Assistants held at Boston 4<sup>th</sup> of  
Septembe<sup>r</sup> 1683

\* Lamb?

† The two carets probably indicate that the name of Hull should come before that of Russell.

Daniel Gookin  
 w<sup>m</sup> stoughton  
 Peter Bulkley  
 Humphry davy  
 Samuel Nowell  
 John Hull 2<sup>d</sup>:  
 James Russell  
 Peter Ty[lton]  
 Bart[holmew] [G]idney  
 Sam[uel] Apleton  
 John woodbridge  
 — — —

Esq<sup>rs</sup>

person<sup>s</sup> Returnd to  
 serve on y<sup>e</sup> Grand  
 Jury & sworne  
 were =

m<sup>r</sup> w<sup>m</sup> Parkes  
 Tho: Bligh.  
 James Hill  
 Abell porter  
 Tho. Toleman  
 w<sup>m</sup> Foster  
 Eljas Rowe  
 Giles Pason  
 w<sup>m</sup> Bond  
 Gregory Cooke  
 J<sup>n</sup><sup>s</sup> stedman  
 Richd Dana  
 — — —

Anthony Cheeckley on behalfe of Thomas Gretian plaintiff against Josiah Torrey deffend<sup>t</sup> || on Attaint || the said Anthony cheeckly in open Court acknowledged himself to stand bound & to be l<sup>j</sup>able to execution in Case Torrey reco<sup>u</sup>ed at this Court in steed of m<sup>r</sup> Gretian. After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict i: e They found a special virdict that is If the twenty seven pounds fiuteene shillings seven pence in the accompt given in by said Gretian be legall according to the mariti[m]e law page 93 sect. second then wee finde for the plaintiff reversion of the last Judgment & Costs of Courts If not legall then wee find || for the defendt || Confirmation of the forme<sup>r</sup> Judgment & Costs || of Courts. || The magis<sup>ts</sup> on pervsall of this virdict find for the defendant Confirmation of the former Judgment & Costs of Courts =

m<sup>r</sup> J<sup>n</sup><sup>s</sup> Vsher & m<sup>r</sup> J<sup>n</sup><sup>s</sup> Saffyn on behalfe of Benanuel Bowe's plaintiff<sup>s</sup> on Attaint Cont<sup>a</sup> solomon Phipps & Josiah wood e<sup>r</sup> drive's of charls-Towne Com<sup>on</sup> defendants on Attaint after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdic<sup>t</sup> i e they found for the plaintiff<sup>s</sup> reuerision of the former Judgment & Costs of Courts = .

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persons Returnd to  
 serve on the Jury  
 for Attaints sworn  
 were =

m<sup>r</sup> James Taylor  
 J<sup>n</sup><sup>s</sup> Cotter  
 w<sup>m</sup> sumner  
 J<sup>n</sup><sup>s</sup> Parmiter  
 in y<sup>e</sup> ch. Cases \*  
 James Bird  
 Ebenazar withrington

m<sup>r</sup> John Saffyn & m<sup>r</sup> J<sup>n</sup><sup>s</sup> vsher on behalfe of Benanuel Bowe's plaintiff<sup>s</sup> Cont<sup>a</sup> Josiah wood & Tho: white drive's of charls-Towne Com<sup>on</sup> e<sup>r</sup> defendant after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury finds for the plaintiff<sup>s</sup> reuersion of the former Judgment & Costs of Courts =

\* Charlestown cases?

Jn<sup>o</sup> Atkinson plaintiffe Contra John woolcot se<sup>n</sup>d defend<sup>t</sup> in an Accon of Appeale from the Judgment of the County Court at Ipswich After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Records of this Court  
 1<sup>st</sup> Jury the Jury brought in their virdict: they  
 hitherto found for the plaintiffe Red<sup>n</sup>sion of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts in y<sup>e</sup> Action of y<sup>e</sup> bill five pounds one shilling & two pence.

John Atkinson plaintiffe Con<sup>tra</sup> Jn<sup>o</sup> woolcot deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court at Salem last After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced, and are on file the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the former Judgment & Costs of Courts forty nine shillings =

mary Webster wife to w<sup>m</sup> webster of Hley † hauing binn presented for suspition of witchcraft e<sup>r</sup> by a Grand Jury in Boston 22<sup>th</sup> of may last & left to furthe<sup>r</sup> Tryall was now Called & brought to the barr and was Indicted by the name of mary webster wife to w<sup>m</sup>

webster e<sup>r</sup> for that shee not hauing the  
 1 Ju: feare of God before hir eyes & being Instigated by the diuill had entred into couenant & had familiarity w<sup>th</sup> him in the shape of a warraneage & had hir Imp<sup>s</sup> sucking hir & teats or marks found in hir secret parts as in & by seuerall testimonjes may Appeare Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the king his Crowne & dignity the lawes of God & this Jurisdiction to wch Indictment making no exception against any of the Jury leauing himself to be trjed by God & the Country After y<sup>e</sup> Indictment & evidences in the Case were read Comitted to the Jury and are on file the Jury brought in hir virdict they found hir not guilty =

James Barbar  
 Ezra Clap  
 John Betts  
 Jn<sup>o</sup> swett in Gre-  
 tians \*  
 Rich<sup>d</sup> Chicke  
 Edward Dor  
 Jn<sup>o</sup> weld  
 Jn<sup>o</sup> Lyon  
 sam stone  
 noah wisewall  
 Xtophe<sup>r</sup> Read  
 Tho. Langhorne  
 Jn<sup>o</sup> Goue:  
 Caleb church  
 Josiah Jones  
 Jn<sup>o</sup> Hamond  
 Symon Coolidge  
 Danl Herrington  
 Samuel Ruggles  
 Jn<sup>o</sup> Livermore

— — — —  
 person<sup>s</sup> Returnd to  
 serve on y<sup>e</sup> Jury for  
 Appeales e<sup>r</sup> sworn

— — — —  
 Mr James Taylor  
 W<sup>m</sup> sumner  
 Jn<sup>o</sup> Betts  
 Jn<sup>o</sup> weld  
 Xtophe<sup>r</sup> Read  
 Jn<sup>o</sup> Goue  
 Tho Longhorne  
 Danl. Herrington  
 Ebenezer withrington  
 Josiah Jones  
 W<sup>m</sup> Gennerson  
 Richd chicke

— — — —  
 persons Returnd to  
 serve on y<sup>e</sup> Jury for  
 life & death & after-  
 wds for Appeales  
 e<sup>r</sup> sworne

— — — —  
 m<sup>r</sup> samuel stone  
 Jn<sup>o</sup> Parmiter  
 Jn<sup>o</sup> Cotter  
 Ezra Clapp  
 James Bird  
 Sam : Douce  
 Jn<sup>o</sup> Swett  
 Edward Dor  
 noah wisewall  
 Symon Coolidge  
 Jn<sup>o</sup> Hamond  
 Jn<sup>o</sup> Livermore

\* Gretian's case?

† Hadley. See above, p. 229.

Joshua Rice being Comitted to prison on ~~suspition of Adultery~~  
 y<sup>e</sup> Grand Jury on pvsall of the evidences presented & Indicted him  
 & left him to further Trjall he was brought to the barr & Indicted  
 by y<sup>e</sup> name of Joshua Rice of Boston in the County of  
 2<sup>d</sup> Jur Suffolke in new England Cordwayner for that he not  
 hauing the feare of God before his eyes & being Instigated by the diuill  
 did on the 24<sup>th</sup> of August last repaire to the house of Edward Crockett  
 laborer & didst Comitt the foule sinn of Adultery with Elisabeth  
 Crockett his wife Contrary to the peace of our Soueraigne Lord the king  
 his Croune & dignity the law of God & of this Jurisdiction to wch In-  
 dictment he pleaded not Guilty & put himself on trjall on God & y<sup>e</sup>  
 Country after his Indictment & evidences in the Case produced ag<sup>t</sup> the  
 prisoner at the barr were Read Comitted to y<sup>e</sup> Jury & are on file the  
 Jury brought in their virdict they found him not Guilty according to  
 Indictment but found him guilty of lasiuous Gross & foule actions  
 tending to Adultery. =

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Elisabeth Crockett wife to Edward Crockett of  
 Crocketts Indictm<sup>t</sup> Boston in the County of Suffolke Labourer being alike  
 presented & Indicted by the Grand Jury was brought to the Barr &  
 was alike Indicted for the like foule Crime w<sup>th</sup> Joshua  
 2<sup>d</sup> Jur Rice att y<sup>e</sup> same time & place & putting himself on  
 triall by God & y<sup>e</sup> Country pleading not Guilty after the Jury had  
 perused the evidences in y<sup>e</sup> Case brought in their virdict as ag<sup>t</sup> Rice =

= Arthur mason plaintiff ag<sup>t</sup> Henry Tight defend<sup>t</sup> in an action of  
 Appeale from the Judgment of the County Court at  
 mason Contra Tight Boston in Aprill last After the Attachment Courts Judg-  
 ment Reasons of Appeale & evidences in the Case produced were read  
 Comitted to the Jury & are on file the Jury brought in their virdict  
 they found for the deffend<sup>t</sup> confirmation of the former Judgmt & Costs  
 of Courts [thirty] shillings

Gamaljel Roge's plaintiff ag<sup>t</sup> Henry Tite defend<sup>t</sup> in an action of  
 Appeale from the Judgment of the County Court in Boston in Aprill  
 last After the Attachment Courts Judgment Reasons  
 Rogers Contra Tite of Appeale & evidences in the Case produced were Read  
 Comitted to the Jury & are on file w<sup>th</sup> the reccords of this Court the  
 Jury brought in their virdict they found for the defend<sup>t</sup> Confirmation

of the former Judgment and Costs of Courts thirty seven shillings & tenn pence | besides x<sup>e</sup> damage | — —

Joseph Brisco: Attorney to Henry wright & Tim<sup>e</sup> Dwight Attorney to Sam Snow plaintiff Con<sup>a</sup> Jn<sup>e</sup> sparrey defendant in an Action of Appeale from the Judgment of the Comissione's Court in June last after the Attachment Courts Judgm<sup>t</sup> & Reasons of Appeale were Read y<sup>e</sup> defend<sup>t</sup> pleaded for a non suit because the Reasons of Appeale were not signed by y<sup>e</sup> principle or Attorney w<sup>ch</sup> was grted

Brisco e<sup>r</sup> Contra  
Sparrey

Joseph Brisco Attorney to Henry wright plaintiff Conta John sparrey defend<sup>t</sup> in an Action of Appeale from y<sup>e</sup> Judgment of the Comissione's Court the Attachm<sup>t</sup> Courts Judgm<sup>t</sup> & Reasons of Appeale were Read <sup>^</sup> was non suited because y<sup>e</sup> time of y<sup>e</sup> Court was mist in y<sup>e</sup> Reasons —

Idem Ous Idem.

Joseph webb marshall of Suffolke plaintiff ag<sup>t</sup> w<sup>m</sup> manly deffend<sup>t</sup> in an Action of Appeale from the Judgment of the Comissione's Court in Aprill last After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file with the Reccords of this Court the Jury brought in their virdict they found for the defendant Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & costs of Courts. —

webb ag<sup>t</sup> manly  
an Attajnt  
m<sup>r</sup> stone foreman

Joseph webb marshall said he Attainted the Jury for erro's & himself as principall in twelve pounds & Returne wayte & Abraham Bliss his sue<sup>t</sup>jes Acknowledged themselues respectively bound to the Trespure<sup>r</sup> of the Country & party Concerned on Condition y<sup>t</sup> s<sup>d</sup> webb shall prosecute this his Attaint at the nex<sup>t</sup> Court of Assistants to effect —

Jn<sup>e</sup> child plaintiff on Appeale from the sentenc of the Court <sup>^</sup> After the Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found the Appellant Giulty of playing at Cards for thirty six shillings mony —

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Francis Nurse plaintiff<sup>x</sup> in an action of Appeale from the Judgment of the County Court at Salem last<sup>x</sup> against m<sup>r</sup> Zerubbable Endicot deffendant After the Attachment

Nurse ag<sup>t</sup> Endecot

Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts || In Ans<sup>r</sup> to m<sup>r</sup> Allens peticon \* || execution suspended to y<sup>e</sup> end of y<sup>e</sup> nex<sup>t</sup> Genn<sup>l</sup> Court ||

Execution Issued  
out for 7.18.3 dd to  
m<sup>r</sup> Homes Attorney  
11 Sep<sup>r</sup> 1683 =

Clark Con<sup>se</sup> Smith

Timothy Clarke plaintiff Cont<sup>a</sup> katherin Smith in behalf of hir sonn John Smith deffendant in an Action of Appeale from the Judgment of the Comission's Court last in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts forty two shillings

Dewer ag<sup>t</sup> Browne

The Dewer plaintiff against willjam Broune Esq<sup>r</sup> defend<sup>t</sup> in an Acc<sup>on</sup> of Appeale from the Judgment of the County Court in July last at Boston after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file with the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts.

Samuell Apelton se<sup>n</sup> Esq<sup>r</sup> & Samuel Apleton Ju<sup>n</sup> plaintiff<sup>s</sup> Cont<sup>a</sup> John Hawkesse<sup>n</sup> & moses Haukes defend<sup>t</sup> in An Action of Appeale from the Judgment of the County Court at Salem last After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff thirty pounds mony damages and that the deffendants shall make vp the great damm as Good as before in tweluemonths time next ensuing or pay two hundred & fusty pounds money & Costs of Courts.

Apleton & Hawkes

an Attaint, m<sup>r</sup>  
[James Tayl<sup>r</sup>]  
foreman =

The deffendant Attainted the Jury for erro's & himself sajd Jn<sup>o</sup> Hawkes principall in the sume of two hundrd pounds & Thomas skinner & Edward Richards his sue<sup>t</sup>tjes in 100<sup>l</sup> a peece acknowledged themselues bound to the Treasurer of the Country in sajd somes

\* This part is inserted in the margin, but was evidently intended to be read with the words "execution suspended," etc.



Respectively & to the parties concerned on Condition that said Hawkes shall prosecute this his Attaint at the next Court of Assistants to effect —

Samuel Nowel Esq<sup>r</sup> & m<sup>r</sup> Hezekiah Vsher Executors to the last will of the late m<sup>r</sup> Hezekiah vsher plaintiff<sup>s</sup> Cont<sup>a</sup> Nathaniel Harwood as Assignee & Attorney to m<sup>r</sup> John Harwood in an Action of Appeale from the Judgment of the last County Court at Charlestowne on a non suite \* after the Court had given the Attachment Courts Judgment Reasons of Appeale and evidences in the Case they declared that there ought to be no non suit & Grants the defendant his Costs nineteen shillings

Hezekiah Vsher ag<sup>t</sup>  
Nathaniel Harwood

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1683

m<sup>r</sup> Hezekiah vsher plaintiff<sup>s</sup> Contra Peter Bulkley Esq<sup>r</sup> as Assignee || *et* || of m<sup>r</sup> John Harwood defendant in an action of Appeale from the Judgment of the County Court at Cambridge in Aprill last After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their verdict they found for the defendant Confirmation of the former Judgment & Costs of Courts || The plaintiff<sup>s</sup> Attainted the Jury for error & Gaue bond ||

m<sup>r</sup> vsher ag<sup>t</sup> m<sup>r</sup>  
Bulkley *et*

An Attaint m<sup>r</sup>  
James Taylor foreff

W<sup>m</sup> Harrison plaintiff<sup>s</sup> Cont<sup>a</sup> Thomas Platts defendant in an Action of Appeale from the Judgment of the last County Court in Boston After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file The Jury brought in their verdict they found for the plaintiff<sup>s</sup> reversion of the former Judgment & that the said Platts take his chimneys of the said Harrisons Ground w<sup>th</sup> in sixe moneths

Harrison Cont<sup>a</sup>  
Platts

Execution Issued  
out

\* "On a non suite" here evidently means "on a plea for a non-suit," as appears by the record of the County Court at Charlestown, June 19, 1683, from whose judgment the appeal was taken. At that Court Nathaniel Harwood, as assignee and attorney of John Harwood, was plaintiff, and Samuel Nowell, who married the relict and executrix of Hezekiah Vsher, deceased, and Hezekiah, the other executor, were defendants, the action being for the payment of a legacy of fifty pounds. The defendants, Nowell, etc., "pleaded for a non suite because the plaintiff sued as both attorney & assignee, the law saying or & not and, i. e. the one & not both." "The Magistrates ordered the plaintiff to proceed in his plea," that is, the Court refused to order a non suit. The defendants, Nowell, etc., appealed from this decision. The trial, at the County Court, then proceeded, and Harwood obtained a judgment there in his favor. The Court of Assistants confirmed the decision of the County Court, refusing to order a non suit, and accordingly grants Harwood his costs. See County Court Records, Middlesex, 1681-1686, p. 64.

or pay the said Harrison forty pounds in money & Costs of Courts five pounds & two pence —

**Harrison Con<sup>ts</sup>  
Platts** W<sup>m</sup> Harrison plaintiff Con<sup>ts</sup> Thomas Platts defend<sup>t</sup>  
In an action of Appeale from the Judgment of the  
County Court last in Boston after the Attachm<sup>t</sup> Courts  
Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were  
read Comitted to the Jury & are on file w<sup>th</sup> the reccords  
**Execution Issued :** of this Court the Jury brought in their virdict they  
found for the plaintiff reuersion of the forme<sup>r</sup> Judgment & Costs of  
Courts forty shillings & fowe<sup>r</sup> pence —

**Homes ag<sup>t</sup> chickley** Joseph Homes pl<sup>t</sup> Con<sup>ts</sup> Anthony Cheeckley ||  
Attorney to stephen Sweathy || defend<sup>t</sup> in an Acton of  
Appeale from the Judgment of the County Court in Boston After the  
Attachment Courts Judgment reasons of Appeale &  
**An Attaint m<sup>r</sup> stone** evidences in the Case produced were read Comitted to  
**foreman** the Jury & are on file w<sup>th</sup> the reccords of this Court  
the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation  
of the forme<sup>r</sup> Judgment & Costs of Courts forty six shillings &  
six pence; the pl<sup>t</sup>. Joseph Home<sup>s</sup> Attainted the Jury || for erro<sup>r</sup> e<sup>r</sup> || &  
Joseph Homes principall in twenty pounds & Joseph webb & Xtophe<sup>r</sup>  
webb his sue<sup>t</sup>jes in tenn pounds apeece acknowledged themselues bound  
to the Tresp<sup>er</sup> of the Country & party Concerned on Condition that  
Joseph Homes shall prosecute this his Attaint at the nex<sup>t</sup> Court of As-  
sistants to effect —

— Joseph Cowell plaintiff Con<sup>ts</sup> Timothy Thornton  
**Cowell Con<sup>ts</sup>  
Thornton** defend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of  
the Comissione<sup>r</sup>s Court in Boston After the Attachment  
Courts Judgment Reasons of Appeale & evidences in the Case produced  
were read Comitted to the Jury & are on file the Jury brought in their  
virdict they found for y<sup>e</sup> plaintiff reuersion of the forme<sup>r</sup> Judgment &  
Costs of Cou<sup>r</sup>ts 27<sup>s</sup> 2<sup>d</sup>.

Samuel Bishop plaintiff ag<sup>t</sup> Robe<sup>t</sup> Lord marshall defend<sup>t</sup> In an  
action of Appeale from the Judgment of the County Court at Ipswich  
After the Attachment Courts Judgment Reasons of Appeale &  
evidences in the Case produced were read Comitted to  
**Bishop Con<sup>ts</sup>  
Lumas \*** the Jury & are on file w<sup>th</sup> the Records of this Court  
the Jury brought in their virdict they found for the

\* Evidently an error for "Lord."

plaintiff Reue[rsi]on of the forme<sup>r</sup> Judgm<sup>t</sup> ¶ & ¶ tenn pounds & six pence damage according to Execution & Costs of Courts & execution Respitted till y<sup>e</sup> nex<sup>t</sup> Gen<sup>l</sup> Courts ends

Samuell Lummas \* plan<sup>t</sup> Cont<sup>a</sup> w<sup>m</sup> Quarles deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court at Ipswich After the Attachment Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file the Jury brought in their virdict they found for y<sup>e</sup> deffend<sup>t</sup> ffowe<sup>r</sup> pounds fowe<sup>r</sup>teene shillings & fowe<sup>r</sup> pence

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Robe<sup>t</sup> Daus plaintiff Cont<sup>a</sup> Joseph Gridley deffend<sup>t</sup> In An action of Appeale from the Judgment of the last Comissions's Court in Boston after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced, & are on file the Jury brought in their virdict they found for the deffendan<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts thirty one shillings & eight pence

Daus ag<sup>t</sup> Gridley

Edmond Pe<sup>k</sup>in[s] plt Cont<sup>a</sup> Arthur Smith deffend<sup>t</sup> in an Action of Appeale from the Judgment of the last County Court in Boston w<sup>h</sup>drew his action by the Courts leaue Affirming he had Agred w<sup>h</sup> y<sup>e</sup> defend<sup>t</sup> = who did not appear

Perkins ag<sup>t</sup> Smith

Samuel worden plt Con<sup>a</sup> Nathaniel Addams deffendan<sup>t</sup> in an action of Appeale from the Judgment of the County Cour<sup>t</sup> in Boston made his non Appearance y<sup>e</sup> defend<sup>t</sup> had his Costs =

Worden Cont<sup>a</sup> Addams

John Lee plt Conta : Hudson Leueret deffendant in an Action of Appeale from the Judgment of the Comissione's Court in Boston after the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts thirty six shillings & three pence

Lee ag<sup>t</sup> LeueretExecution Issued  
out 15 Sep<sup>r</sup> 83

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\* Written over " w<sup>m</sup> Quarles."

Mrs Elisabeth man-  
ings divorce from  
Nicholas maning  
at [Ipswich\*] court

In Answe<sup>r</sup> to the peticon of Elisabeth maning for a divo<sup>c</sup>ce from hir husband, Nicholas Maning — It Appearing to this Court on pervsall of the paper's presented that the sajd Nicholas maning was guilty of Incestuous practises with his siste<sup>r</sup>s of which they were Convicted and punished but himself escaped out of this Jurisdiction thereby Avoyding the punishmen<sup>t</sup>, and also that he hath not for seuerall yeares past afforded the sajd Elisabeth any releife for maintenance and hath lately declared In writting vnder his hand & seale that he doth vtterly renounce the sajd Elisabeth and that he will not owne her for his wife or haue any thing to doe with her — All which being Considered by this Court It is by them declared that the sajd Elisabeth is henceforth freed & released from hir marriage ingagement vnto the sajd Nicholas maning — By y<sup>e</sup> Court Edw: Rawson secre<sup>t</sup>

Courts sentence ag<sup>t</sup>  
Joshua Rice & Eliza  
Crocket for their  
Adulterous Car-  
riages &c

In the Case of Joshua Rice the Court hath Con- sidered you<sup>r</sup> offence, and doe sentence yow on the nex<sup>t</sup> fifth day of y<sup>e</sup> weeke presently after the lecture to be by y<sup>e</sup> marshall Gennerall to be taken out of y<sup>e</sup> prison & ¶ w<sup>th</sup> a Roape ab<sup>t</sup> your necke ¶ Conveyed thro the Towne to the Gallowes & there to be sett on a ladder & stand on full howe<sup>r</sup> w<sup>th</sup> yo<sup>r</sup> Roap turnd ouer the Gallowes & then to be taken doune & Conveyed to the beginning of the street entring the Towne to be strip<sup>t</sup> & tjed to the Carts Tayle & be seuerely whip<sup>t</sup> w<sup>th</sup> thirty stripes thro the streets to the Goale & be there left till yow discharge the charg of yo<sup>r</sup> trjall prison & Court ffes. wch when donn to be releast from prison the like sentenc was passed & published in Court in all respects against & to Elisabeth Crocket wife to † Crocke<sup>t</sup> partne<sup>r</sup> w<sup>th</sup> him in their odious vile & lustfull carriages — past ER S —

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at one of y<sup>e</sup> clock  
present the Go<sup>o</sup>no<sup>r</sup>  
deput Go<sup>o</sup>  
major Gookin  
m<sup>r</sup> stoughton  
m<sup>r</sup> Bulkley  
m<sup>r</sup> Browne

Launcellot Smith Complayning to the Go<sup>o</sup>no<sup>r</sup> & magis<sup>tr</sup> then mett against Nicholas Lynch as By attachment produced bearing date the of 1683 both partjes Ap- peared plaintiff & defendant & desired their Cases might be heard by a Court of Assistants or Admiralty their occasions not permitting to stay till y<sup>e</sup> County Court The Court ordered the hearing of their Cases at

\* The word "Ipswich" appears to be written here over the word "Salem."

† Left blank in the record.

|| Appointed the twelfth Instant at one of y<sup>e</sup> clock ||  
[at] the Court of Assistants to sitt in Boston 12  
october 1683 || at y<sup>e</sup> time || The Court mett at the  
time 12<sup>th</sup> octobe<sup>r</sup> 1683 y<sup>e</sup> plaintiff Launcelot Smith Ap-  
peared & presented his libell y<sup>e</sup> deffendant Nicholas  
Lynch Appeared || & put in his Ans<sup>r</sup> || and after their \* ||  
libell & Answ<sup>r</sup> w<sup>th</sup> y<sup>e</sup> || Evidences produced & pleas made by both partjes  
The Court on a full hearing of the partjes declared they found for the  
plaintiffe eighty pounds mony of this Country & Costs of Courts two  
pounds sixteene shillings —

mr Nowell  
mr Russell  
mr Tilton  
mr Apleton  
mr Gidney  
mr Pyke  
— — — —

Nicholas Steeresman also then Appeared as Smith aboue in all  
respects had the like libe<sup>ty</sup> w<sup>th</sup> like Consent of s<sup>d</sup> [Li]nch

The Court ordered the hearing of this Case also on 12 octobe<sup>r</sup> 1683

The Court mett at the time the plaintiff & deffendant Appeared the  
defendant † then put In his libell And after the libell Ans<sup>r</sup> therevnto  
evidences in the Case produced & pleas made by both partjes The Cour<sup>t</sup>  
on a full hearing of the partjes declard they found for the deffendant  
eighty pounds this Country mony damage & Costs of Court [fine ‡]  
pounds seventeen shillings —

[Blank]

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Boston 1683

[The remainder of the page is blank.]

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Boston 1683

At A Court of Assistants Called by order of  
y<sup>e</sup> Go<sup>wno</sup><sup>r</sup> e<sup>r</sup> and satt in Boston 12 novembe<sup>r</sup>  
1683 =

W<sup>m</sup> Johnson being presented by the Grand  
Jury was brought to the barr holding vp his  
hand at the barr was Indicted by the name of  
willjam Johnston for that he no<sup>t</sup> hauing the feare  
of God before his eyes but Instigated by the divil  
Confederating himselfe w<sup>th</sup> one John Graham &  
other Sea Roue's his Accomlices did together

	present	
Symon Bradstreet	Esq <sup>r</sup>	Gov <sup>r</sup>
Tho. Danforth	Esq <sup>r</sup>	
		dep <sup>t</sup> Go <sup>rn</sup>
Daniel Gookin		
w <sup>m</sup> Stoughton		
Joseph dudley		
Peter Bulkley		
Natha Saltonstall		
Humphry Davy		
John Richards		
Sam Nowell		
James Russell		
Barthol: Gidney		
Robert Pike		
Jn <sup>s</sup> woodbridge		

\* Written over "the." † So in the original. ‡ "Fine" written over "two."

person<sup>e</sup> Returnd to  
serve on y<sup>e</sup> Grand  
Jury & Sworn were

— — — —  
Cap<sup>t</sup> J<sup>n</sup> Capen  
Jonathan Bridgham  
Theod<sup>r</sup> Atkinson  
Joseph Homes  
J<sup>n</sup> Coney  
W<sup>m</sup> Gary  
Tho Cheney  
Rich<sup>d</sup> Hall  
Rich<sup>d</sup> Robbins  
J<sup>n</sup> than Rilmington  
John Stone  
J<sup>n</sup> strettens  
Randall Nicholls  
S[am:] Heman  
— — — —

persons Returnd to  
serve on y<sup>e</sup> Jury of  
tryalls sworn

— — — —  
m<sup>r</sup> Joseph Townsend  
Francis Foxcraft  
Edw<sup>d</sup> Broomfield  
J<sup>n</sup> Endeocott  
Benja walker  
Giles Dyer  
Tim<sup>s</sup> Foster  
sam Gookin  
Abraham Holman  
Henry Spring  
Joseph Child Jun<sup>r</sup>  
stephen waters  
— — — —

with them sometimes in the month of June in this present yeare 1683 on the high sea & neere the Coast of [Can]ady w<sup>th</sup> force of Armes pirattically assault, seize & take seuerall vessels & the Companyes belonging to them i e a certeine Catch belonging to the Port of Salem John Lambe<sup>t</sup> master and one other barcq belonging to the Port of Boston James Taylor master & another barcq Called the James & Hannah John Earthy master all three belonging to his Majtjes subjects of this Colony of the Massachusetts And also one barcq Called the S<sup>t</sup> Charles <sup>^</sup> Arsneaw master belonging to the Subjects of the ffrench king now in Amity w<sup>th</sup> his Majty making the men belonging to the sajd vessells prisone<sup>s</sup> plundering & sharing among themselues the Goods in the sajd vessells found to the value of seuerall hundred pounds sterling Contrary to the peace of ou<sup>r</sup> soueraigne Lord the king his Crowne & dignity & the lawes of this Jurisdiction to wch Indictment the prisone<sup>r</sup> at y<sup>e</sup> barr pleaded no<sup>t</sup> Guilty & put himself on tryall on God & y<sup>e</sup> Country After the evidences produced ag<sup>t</sup> him were read Comitted to the Jury the Jury brought in their virdict they found the prisone<sup>r</sup> w<sup>m</sup> Johnson at the barr not guilty according to Indictment — The Court ordered y<sup>t</sup> he be released from his Imprisonment he putting in security

of fine hundred pounds to Ans<sup>r</sup> any further Complaint of this nature to be made agn<sup>t</sup> him w<sup>thin</sup> sixe month<sup>s</sup> by the ffrench or othe<sup>s</sup> & ordered y<sup>t</sup> he discharg Constable J<sup>n</sup> Lambe<sup>t</sup>s Charge<sup>s</sup> wch was 35<sup>s</sup> for himself wittness: *es* — he was after his Conti[nu]ing in prison till \* || 5<sup>th</sup> || January || 83 || nothing Appearing ag<sup>t</sup> him more & not able to finde any s[e]curity was † by orde<sup>r</sup> of the Go<sup>u</sup>n<sup>r</sup> & magist<sup>s</sup> releast his Imprisonmt 5 January 1683 — /

Leonard Pomery being presented by y<sup>e</sup> Grand Jury & left to tryall was Indicted by the name of Leonard Pomery for that he not hauing the feare of God before his eyes but Instigated by the diuill on the fowe<sup>th</sup> day of Septembe<sup>r</sup> last in the house of Ruth Harding did maliciously wickedly & ffelloniously quarrelling so with Thomas

\* The Secretary apparently began to write " Wednesday " here, but cancelled it.

† " Was " repeated in the record.

Pinnock murther him by throwing him downe on the floore from a chajre where he satt giving him a cruell blow on the vpper part of his breast neere his throate & kicking him with his ffoote of which wound & blow he presently sickned vojded much blood in clodds & so continued till he djed of sajd blowes as by seuerall evidences may & will appeare Contrary to the peace of our soueraigne Lord the king his Crowne & dignity <sup>^</sup> the lawes of this

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Jurisdiction to wch Indictment the prisone<sup>r</sup> at the barr pleaded not guilty and put himself on trjall on God & the Country After the evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found the Prisone<sup>r</sup> at the Barr Guilty of man Slaughter the Prisone<sup>r</sup> was againe brought to the barr and had this sentenc i.e: to be burnt in the hand & forfeit his Good<sup>s</sup> & chattels none to be found y<sup>e</sup> executioner executed the sentenc in y<sup>e</sup> face of the Court =

20 Novemb<sup>r</sup> 1683

It was ordered that Edward Crocket be hencforth the executioner and that he haue the salley that Joseph Gridley had =

Att A Court of Assistants held at Boston 4<sup>th</sup> march 1683 —

John Hawkes *et* plaintiff Cont<sup>a</sup> Samuel Apleton se<sup>n</sup> esq<sup>r</sup> & samuel Apleton Ju<sup>n</sup> defendant in an Action of Attaint on Apeale from the virdict & Judgm<sup>t</sup> of y<sup>e</sup> Jury *et* the last Court of Assistants After the Attachment Courts Judgm<sup>t</sup> Reasons for Attaint *et* were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the plaintiff Reuersion of the forme<sup>r</sup> Judgment & costs of Courts nine pounds

m<sup>r</sup> Hezekiah vs<sup>er</sup> plaint Cont<sup>a</sup> Peter Bulkley Esq<sup>r</sup> defend<sup>t</sup> in an action of Attaint on Appeale After the attachment Courts Judgment Reasons of Attaint *et* were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their

present  
Symon Bradstreet  
Esq<sup>r</sup> Go<sup>d</sup>  
Tho Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>d</sup>  
Daniel Gookin  
w<sup>m</sup> stoughton  
Joseph dudley  
Pet<sup>r</sup> Bulkley  
Nathaniel Saltonstall  
Humphry davy  
John Richards  
Samuell Nowell  
James Russell  
Bartholmew Gldney  
Samuel Apleton  
Robert Pyke  
— — —  
persons Returnd to  
serve on y<sup>e</sup> Grand  
Jury & Sworne  
— — —  
Cap<sup>t</sup> Tho Jenner  
Richd way  
Tho Bligh  
Theod<sup>r</sup> Atkinson  
Jn<sup>s</sup> Harrison

moses Payne  
 Giles Pason  
 Robert Williams  
 Sam: Williams  
 Knock wiswall  
 w<sup>m</sup> Trascott  
 Jacob Huings  
 Rich Lowden  
 Laurenc Douse  
 Jame[s] Trow-  
 bridge  
 Tho olliuer  
 francis moor  
 [Tho fleg or]  
 John Whitney

virdict they found for the deffend<sup>t</sup> Confirmation of the former Judgment & costs of Courts

Joseph Webb plaintiff Con<sup>a</sup> w<sup>m</sup> manly deffendant  
 In An action of Attaynt on Appeale from the Judgment of the last Court of Assistants After the  
 || [Attachmt] || Courts Judgment Reasons of Attaint  
 e<sup>r</sup> were read Comitted to the Jury & are on file w<sup>th</sup>  
 the Reccords of this Cour<sup>t</sup> the Jury brought in their  
 virdict they found for the plaintiff reuersion of the  
 forme<sup>r</sup> Judgment & Costs of Courts

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person<sup>s</sup> Returned to  
 serve on y<sup>e</sup> Jury of  
 Attaints & sworne

— — — —  
 m<sup>r</sup> Jonathan Rim-  
 ington  
 Jn<sup>e</sup> white  
 w<sup>m</sup> Downes  
 w<sup>m</sup> Griggs  
 Isayah Toy  
 Tho walker  
 Isack Goose  
 Sam: Peirse  
 Rouland story  
 Benjamin Gamblin  
 Samuel Lyon  
 Benja. Tucker  
 Samuel Perry  
 Samuel Paul  
 Ebenezar Billing  
 John Breck  
 w<sup>m</sup> Ryall  
 w<sup>m</sup> Clutterbuck  
 Nathaniel Nicholls  
 Tho white  
 Peter Towne  
 Andrew Boardman  
 Jn<sup>e</sup> Bright  
 Nath Basham  
 — — — —  
 m<sup>r</sup> Downes in m<sup>r</sup>  
 Apletons Case stood  
 by  
 y<sup>e</sup> Case referrd to 23  
 — — — —  
 persons Returned to  
 serve on y<sup>e</sup> 1<sup>st</sup> Jury  
 for tryalls of Ap-  
 peales e<sup>r</sup> sworne  
 — — — —

Joseph webb plt Contra w<sup>m</sup> Manly deffend<sup>t</sup> in an  
 Action of Attaint on Appeale from the Judgment &  
 virdict of the Jury at the Court || of || Assis<sup>ts</sup>\* in sept<sup>r</sup> †  
 last after the Attachment Courts Judgm<sup>t</sup> and reasons  
 of Attaint being Read Comitted to the Jury and are  
 on file w<sup>th</sup> the Reccords of this Court the Jury brought  
 in their virdict they found for the plaintiff Reuersion  
 of the forme<sup>r</sup> Judgment & Costs of Courts three  
 pounds thirteen shillings & two pence

Joseph Homes. pl<sup>t</sup> Con<sup>a</sup> Anthony cheeckley  
 Attorney to stephen sweathy deffend<sup>t</sup> in an Action of  
 Attaint on Appeale from the Judgment & virdict of  
 the Jury in septembe<sup>r</sup> last. After the Attachment  
 Courts Judgment Reasons of Attaint were read Com-  
 itted to the Jury & are on file w<sup>th</sup> the Reccords of this  
 Court the Jury brought in their virdict they found for  
 the plaintiff reue'sion of the forme<sup>r</sup> Judgment & Costs  
 of Courts fowe<sup>r</sup> pounds fowe<sup>r</sup>- || teene || shillings & sixe  
 pence

Edmond Perkins plt Cont[r]a Abraham Merrill  
 dfendant in <sup>an</sup> accon of Appeale from the Comission's  
 Court in Boston After the Attachment Courts Judg-  
 ment Reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on  
 file w<sup>th</sup> the Reccords of this Court the Jury brought in

\*First written "County Court."

†First written "october."



thei' virdict they found for the plaintiff reue'sion of the former Judgt & three \* pounds money damage & Costs of Courts wch they Agred amongst themselues —

w<sup>m</sup> Rauson plt Con<sup>ta</sup> w<sup>m</sup> Gilbert deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court in Boston, octobe<sup>r</sup> last After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case pduced were read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts twenty shilling & sixe pence || y<sup>e</sup> plaintiff Attainted y<sup>e</sup> Jury & himself in 10<sup>li</sup> & Jn<sup>o</sup> woodmansy & m<sup>r</sup> Harrison his suertjes in 5<sup>li</sup> apece Gaue [bond gaue] bond to prosecute e<sup>r</sup> ||

w<sup>m</sup> Harrison pl<sup>t</sup> Con<sup>ta</sup> Thomas Platts defend<sup>t</sup> in an action of Appeale from the Judgm<sup>t</sup> of the County Court in Boston in octobe<sup>r</sup> last After the Attachment Courts Judgment Reasons of Appeale & evidences in y<sup>e</sup> Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & costs of Courts || y<sup>e</sup> plaintiff Attainted y<sup>e</sup> Jury & himself in 14<sup>li</sup> & Josep Home & Jos [Cowell] in 7<sup>li</sup> e<sup>r</sup> gaue bond to prosecute ||

w<sup>m</sup> Harrison pl<sup>t</sup> con<sup>ta</sup> Thomas Platts defend<sup>t</sup> in an action of Appeale from the Judgment of the County Court in Boston in January last After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the defend<sup>t</sup> Confirmation of the form<sup>r</sup> Judgment & costs of Courts = || y<sup>e</sup> pl<sup>t</sup> Attainted y<sup>e</sup> Jury & himself in 10<sup>li</sup> & his sue<sup>t</sup>jies in 5<sup>li</sup> gaue security to psecut y<sup>e</sup> Attaint to effect = ||

m<sup>r</sup> Jonathan Rim-  
ington  
Nath<sup>l</sup>: Basham  
Isayah Toy  
Isack Goose  
Rouland story  
Benj. Tucker  
w<sup>m</sup> Clutterbuck  
Samuel Paul  
Peter Towne  
Tho white  
Ebenezar Billing  
Sam Peirce  
— — —  
person Returnd &  
sworne for y<sup>e</sup> 2<sup>d</sup>  
Jury of Appeales  
— — —  
m<sup>r</sup> Jn<sup>o</sup> Brecke  
w<sup>m</sup> Dounes  
Jn<sup>o</sup> white  
w<sup>m</sup> Griggs  
Tho walker  
Andrew Boardman  
Benja Gambllnn  
w<sup>m</sup> Ryall  
Nathan<sup>l</sup> Nicholls  
Sam: Lyon  
Sam: [Perry]  
[ — — — ]

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w<sup>m</sup> Condy Admstrato<sup>r</sup> to John wilky<sup>e</sup> estate pl<sup>t</sup> Contra John clarke marriner defend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court in Boston in

Condy con<sup>ta</sup> clarke

\* Written over "costs."

† One name worn off (Jn<sup>o</sup> Bright?).

January last after the Attachment Courts Judgment  
 Reasons of Appeale and evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts nineteen shillings & eight pence

Thomas Moore plaintiff Con<sup>ra</sup> Abell porter Ju<sup>d</sup> defend<sup>t</sup> in an action of Appeale from the Judgment of the County Court  
 After the Attachment Courts Judgment reasons of Appeale and evidences in the Case produced were read Comitted to the Jury and are w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the plaintiff reuertion of the former Judgment w<sup>th</sup> fower pounds nine shillings & two pence damage in money & Costs of Courts three pounds nine shilling & 8<sup>d</sup>.

Moses Peirse plaint Cont<sup>a</sup> Benjamin mumford  
 deffend<sup>t</sup> in an Accon of Appeale from the Judgment of the County Court in Boston || octobe<sup>r</sup> last || After the Attachment Courts Judgment Reasons of Appeale & evidences in the case produced were read Comitted to the Jury & are on file w<sup>th</sup> the reccords || of || this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the former Judgment & Costs of courts thirty eight shillings & eight pence

Josiah Torrey plaintiff Con<sup>ra</sup> Thomas Gretian  
 deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court In Boston After the Attachment Courts Judgment Reasons of Appeale And evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the plaintiff reue'sion of the former Judgment & Costs of Courts three pounds sixteen shilling and six pence

Thomas welch pl<sup>t</sup> con<sup>ra</sup>: Richard stowe's defend<sup>t</sup> in  
 An Accon of Appeale from the Judgment of the County Court at charlsTowne After the Attachment Courts Judgment Reasons of Appeale and evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the

reccords of this Court the Jury brought in their virdict they found for the plaintiff Reuertion of the former Judgment ~~& Costs~~ [w<sup>th</sup> the two] acres of land in Controway & Costs of Courts

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Ezekiel needham plaintiff Contra Benjamin farr  
deffend' in an Action of Appeale from the Judgment  
of the County Court last at Ipswich After the Attach-  
ment Courts Judgment Reasons of Appeale & evidences in the Case  
produced were read Comitted to the Jury and are on file w<sup>th</sup> the Rec-  
ords of this Court the Jury brought in their virdict they found for the  
deffend' Confirmation of the forme' Judgment & Costs of Courts fuety  
nine shillings & eight pence

needham Con<sup>a</sup> farr  
exec.

John Arnold plaintiff Con<sup>a</sup> Zackery Thayer  
defend' in an action of Appeale from the Judgment of  
the County Court in Boston in octobe' last After the  
Attachment Courts Judgment reasons of Appeale & evidences in the  
Case produced were read Comitted to the Jury and are on file w<sup>th</sup>  
the Reccords of this Court the Jury brought in their virdict they found  
for the deffend' Confirmation of the forme' Judgment & Costs of Courts  
sixe pounds one shilling and fowe' penc mony damage & y<sup>e</sup> costs forty  
eight shillings & eleven pence

Arnold Con<sup>a</sup>  
Thayr<sup>a</sup>

Samuel Legg Plaintiff Con<sup>a</sup> Samuel lilly deffend'  
in an Action of Appeale from the Judgment of the  
last County Court in Boston After the Attachment  
Courts Judgment Reasons of Appeale & evidences in the Case produced  
were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this  
Court the Jury brought in their virdict they found for the deffendant  
Confirmation of the forme' Judgment & Costs of Courts thirty fowe'  
shillings & two pence.

Legg Con<sup>a</sup> Lilly  
exec.

John Gifford plaintiff Con<sup>a</sup> Thomas walter deffend' in an action of  
Appeale from the Judgment of the County Court in  
Boston in october last After the Attachment Courts  
Judgment Reasons of Appeale & evidences in the Case  
produced were read Comitted to the Jury and are on file w<sup>th</sup> the Rec-  
cord<sup>s</sup> of this Court the Jury finds for the deffend' Confirmation of the  
former Judgment & Costs of Courts [Ren<sup>d</sup> 13. 6]

Gifford Con<sup>a</sup> walter

Samuel Bishop plaintiff in <sup>an</sup> action of Appeale  
 as to a non Suite Cont<sup>a</sup> Robe't Lord In an Action of Appeale from  
 Bishop Cont<sup>a</sup> Lord the Judgment of ~~Ipswich~~ || Salem || Court Con<sup>a</sup>  
 Robe't Lord || marshall || defendant c<sup>r</sup> The Court doe Judge for the  
 plaintiff that he haue the Costs of this Court || 32: || & doe orde<sup>r</sup> the  
 plaintiff<sup>s</sup> liberty to proceed on the Attachment at the nex<sup>t</sup> County Court  
 of that County on his former entry mony =

Samuel Bishop plaintiff Con<sup>a</sup> John Andrews &  
 2 Jury Daniel Hovey Admst<sup>r</sup> to the estate of the late m<sup>r</sup>  
 Bishop Con<sup>a</sup> An- Thomas Andrews defend<sup>t</sup> After the Courts Judgm<sup>t</sup>  
 drews & Hovey. — Reasons of Appeale & evidences were read Comitted  
 to the Jury & are on file The Jury brought in their  
 virdict i e they found that m<sup>r</sup> Thomas Andrews died in the house of  
 Samuel Bishop and also that the keys of the sajd Andrews were at  
 that time in possession of sajd Bishop = m<sup>r</sup> Bishop not appearing when  
 Called for to be examined his Costs not Allowed p<sup>r</sup> Curiā 11 m<sup>r</sup>ch 83

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Edward Thwing & samuel Phillip plt Con<sup>a</sup> Elizur  
 Thwing Con<sup>a</sup> Holliock defend<sup>t</sup> in an Acon of Appeale from the  
 Holliock Judgment of the County Court in Boston <sup>an</sup> y<sup>e</sup> entry of  
 y<sup>e</sup> action the plaintiff<sup>s</sup> were Called but no<sup>t</sup> Appearing the Action fell

Robe't Bromsdon Attorney to John Baker plt Con<sup>a</sup> m<sup>r</sup> Richard  
 wharton deffend<sup>t</sup> c<sup>r</sup> In An action of Appeale from  
 Brinsdon Con<sup>a</sup> wharton the Judgment of the County Court in ~~october~~ || Jan-  
 uary || last After the Attachment Courts Judgment  
 Reasons of Appeale & evidences in the Case produced were read  
 Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the  
 Jury brought in their virdict they found for the plaintiffe Reuersion \* of  
 the former Judgment & Costs of Courts || 3<sup>u</sup> 6<sup>d</sup> || the deffend<sup>t</sup> † sajd  
 he Attainted the Jury || for errors & mistakes || and  
 the sajd Richard wharton principall in tenn pounds  
 and m<sup>r</sup> Hez. vsher and w<sup>m</sup> Rawson his suertjes in fiue  
 pounds apeece acknowledged themselues bound to the  
 Treasure[r] of the Country & partje Concerned that the sajd m<sup>r</sup> wharton

\* Written over "deffendant Confirmation."

† Written over "plaintiff."

‡ Written over "m<sup>r</sup> Remington."

should prosecute his Attaint at the nex<sup>t</sup> Cour<sup>t</sup> of Assistants to effect —  
E R S

Richard Wharton in behalf of himself & Company plant Con<sup>ts</sup>  
John John \* Baker marriner deffend<sup>t</sup> in an action of  
Appeale from the Judgment of the last County Court Mr Wharton Cont<sup>s</sup>  
John Baker  
in October † || last || After the Attachment Courts  
Judgment Reasons of Appeale & evidences in the Case produced were  
read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court  
the Jury brought in their virdict they found for the ~~plaintif~~  
|| deffend<sup>t</sup> || confirmation ‡ of the forme<sup>r</sup> Judgment & costs of Courts  
three pounds — 6<sup>d</sup>

Thomas Saffin Con<sup>ts</sup>: County Courts Judgment or sentence — After  
the Courts Judgment Reasons of Appeale and  
evidences in the Case produced were Read Comitted to Tho Saffyn<sup>e</sup> sent.  
the Jury & are on file w<sup>th</sup> the Reccords of this Court  
the Jury brought in their virdict they found Confirmation of the County  
Courts Judgment wch was i e that he should pay vnto Hannah Houn-  
sell two shillings and sixe pence p<sup>r</sup> weeke in mony towards the main-  
tenance of the child from the time of its birth till the Cour<sup>t</sup> take  
further order as in s<sup>d</sup> Judgment may Appeare & Costs of Courts & sd  
Tho Saffyn on 1<sup>st</sup> Aprill 84 Gaue bond in 40<sup>u</sup> & his sue<sup>t</sup>jes Isack  
walker & § Elliston his su<sup>t</sup>jes in 20<sup>u</sup> apeece to p<sup>r</sup>forme y<sup>e</sup>  
County Courts Judgm<sup>t</sup> relating to Hannah Hounsell.

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John wisewall Ju<sup>d</sup> plant. cont<sup>s</sup> m<sup>r</sup> Nicolas ¶ &  
m<sup>r</sup>s Anna Paige deffend's in an Action of Appeale from wisewall Cont<sup>s</sup>  
Paige  
the Judgment of the last County Court in Boston  
After the Attachment Courts Judgment Reasons of Appeale & evidences  
in the Case produced were read Comitted to the Jury and are on file  
with the Records of this Court the Jury brought in their virdict they  
found for the plaintiff reuersion of the former Judgment & Costs of  
Courts i. e. seuen pounds sixteen shilling ~~& three pence~~

The defend<sup>t</sup> in open Court sajd he Attainted the Jury || for error ||  
and the sajd Nicolas Paige Acknowledged himselfe bound In 20<sup>u</sup> sterling

---

\* "John" repeated in the record.

† Written over "reuersion."

¶ Nicholas Paige?

‡ Written over "January."

§ Left blank in the record.

Attaint of y<sup>e</sup> Jury  
m<sup>r</sup> Rimington for-  
man

to effect —

to the Treasure<sup>r</sup> of the Country & party Concerned his  
heires execcuto's *et* on this Condition that he will  
prosecute this Attaint at the nex<sup>t</sup> Court of Assistants

monks Cont<sup>a</sup> Courts  
Judgm<sup>t</sup>

George moncke plaint Contra y<sup>e</sup> Comissn's Courts  
Judgment After the Courts Judgment & evidences in  
the Case produced were Read Comitted to the Jury &  
are on file w<sup>th</sup> the Records of this Court the Jury brought in their  
virdict ~~Reversion~~ they doe not find by any evidenc or Acknowl-  
edgment of sajd monks vpon Record that he hath broken that law  
title Inkeepe's —

Parris Cont<sup>a</sup> Harris

Samuel Parris plt Contra Richard Harris deffend<sup>t</sup>  
the plt w<sup>th</sup> drew his Action. —

man Cont<sup>a</sup> Bratle

Jn<sup>o</sup> man plaint Cont<sup>a</sup> Thomas Bratle deffend<sup>t</sup> *et*  
the plaintiff w<sup>th</sup> drew his Accon. —

Robe<sup>t</sup> Earl presenting his bill or Account relating to James  
morrison & Thomas Turrill 2 privatees \* y<sup>e</sup> one djed in Prison the other  
brak prison amounting to fifty one shilling one penny wch y<sup>e</sup> Court  
ordered the Tresure<sup>r</sup> to pay him in mony 7 ffibr 83 E R S

It is ordered that the refference from Salem Court referring to the  
late m<sup>r</sup> Wades estate be heard & considered of on 7 Inst at y<sup>e</sup> chambe<sup>r</sup>  
after dinner all the brother<sup>s</sup> clayming at y<sup>e</sup> time Appeared & produced  
seuerall writtings — [y<sup>e</sup> 1<sup>st</sup>] 5<sup>th</sup> march it was declard in Court y<sup>e</sup> y<sup>e</sup> secre-  
tary might Giue Coppie of any of m<sup>r</sup> wades papers in his hand &  
Accordingly gaue Cap<sup>t</sup> wade Coppy of the ho<sup>n</sup> Go<sup>u</sup> oath & on other and  
now It was ordered y<sup>e</sup> secretary giue to each their pape's wch he did  
11<sup>th</sup> march 1683 E R S

^ Hezekiah king of weymouth doe hereby bind myself in fwe  
pounds mony to the Tresurer of the Country to sattisfy & pay him or  
his successo's what shall be allowed to the wittnesses & charges of  
Court in the Case of samuel Bayly as wittnes my hand 4<sup>th</sup> m<sup>ch</sup>. 83.  
Hezekiah: King  
wch was twenty three shillings — E R S

\* Privateers ?

† This rendering is very doubtful. The writing looks also as if it might be shorthand. If so,  
the rendering should be "but on the," which would make the date 5<sup>th</sup> instead of 15<sup>th</sup>, agreeing better  
with the rest of the record.

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Samuel Bayley of weymouth being brought vp & Comitted to prison in orde<sup>r</sup> to his trjall being Accused of Buggery w<sup>th</sup> a mare was brought to the Barr & being presented by y<sup>e</sup> Grand Jury & left to triall was Indicted by the name of John Bayly for that he not having the feare of God before his eyes being instigated by the divill did on the 21<sup>th</sup> of Novembe<sup>r</sup> in the woods malitiously wickedly & feloniously Comitt that abominable sinn of Buggery w<sup>th</sup> a mare as by y<sup>e</sup> seuerall evidences may Appeare Contrary to the peace of ou<sup>r</sup> Sovereign Lord the king his crowne and dignity the lawes of God & of this Jurisdiction — After the Indictment & evidences produced against the prisone<sup>r</sup> at the barr the || Grand || Jury brought in their virdict they || did not || find \* the ~~prisoner~~ || bill || —

Constable Torrey presenting a bill of charges of shipping Edward Goue      The Court ordered the Trespere<sup>r</sup> of the Country to pay him twenty shillings in full of the s<sup>d</sup> bill

Att a speciall Court of Assistants Called by y<sup>e</sup> Go<sup>u</sup>no<sup>r</sup> dep<sup>t</sup> Go<sup>u</sup> & magists & held at Boston 22 July 1684

Vines Ellacot being vnder bonds w<sup>th</sup> sue<sup>r</sup>tyes for his Appearance on y<sup>e</sup> Grand Jury<sup>e</sup> p<sup>e</sup>rvsall of the evidences in his case presented him & Indicted him & left him to further Tryall was Called & Appeared & brought to the barr & holding vp his hand there was Indicted by the name of vines Ellacot of Barbadoes now Resident in Boston in New England merchant for that he not having the feare of God before his eyes & being Instigated by the divill on the 10<sup>th</sup> of June last Riding violently on a horse did wickedly maliciously & feloniously murther Henry Pease by throwing him downe w<sup>th</sup> s<sup>d</sup> horse so as he received his mortall wound in his head whereof he djed Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the king his crowne & dignity the law of God & of

present  
Symon Bradstreet  
Esq<sup>r</sup> Go<sup>u</sup>  
Tho Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>u</sup>

Daniel Gookin  
Humphry Davy  
John Richards  
Samuel Nowell  
James Russell  
Eliasha Cooke  
W<sup>m</sup> Johnson  
J<sup>n</sup>e Hawthorne

Esq<sup>s</sup>

persons Returnd to  
serve on the Grand  
Jury & sworne  
— — —  
m<sup>r</sup> Richard Collicot  
Gamalljel Wayte  
Henry Phillips  
Arthur mason  
Xtopher Clarke  
J<sup>n</sup>e Capin  
Tmo Mather  
Giles Pason  
Randolph Nicholls

\* First written "found."

Richard Austen      this Jurisdiction to w<sup>th</sup> Indictment he pleaded not  
 Henry Bright      Guilty & put himself on tryall by God & y<sup>e</sup> Country  
 Stephen [Cooke]      the Jury hauing all y<sup>e</sup> euidences in the case brought  
 Samuel Andrews      in their virdict they found him not Guilty of the  
 Indictment The Court Considering of this virdict *er* did Judge that  
 m<sup>r</sup> vines Ellacot dischargd y<sup>e</sup> chardg of his tryall & that he pay vnto  
 Gurtrude pease the widdow whose husband was  
 s<sup>ll</sup> sl[a]yne tenn pounds mony = wch was donn & so his  
 bonds dischargd

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persons Returnd to  
 serve on the Jury of  
 trjalls for life &  
 sworne were

— — — —  
 m<sup>r</sup> sampson sheaffe  
 Georg Fordidge  
 James meeres  
 Thomas Smith  
 James Blake  
 Tobjas Dauls  
 John knight  
 John Jackson  
 Zeck Hicks  
 willj<sup>m</sup> Barret  
 W<sup>m</sup> Bond J<sup>o</sup>  
 will<sup>m</sup> shaddock  
 — — — —

Phillip Darland of Beverly in the County of Essex  
 miller being presented by the Grand Jury for Ou<sup>r</sup>  
 Soueraigne Lord the king & left to further Tryall was  
 brought to the barr where holding vp his hand was  
 Indicted by the name of Phillip Darland of Be<sup>d</sup>ly  
 aforesajd for that he not hauing the feare of God  
 before his eyes being Instigated by the Divill did on  
 the 16<sup>th</sup> day of this Instant July in the orchard of  
 Dauid Perkins of saj<sup>d</sup> Beuerly Comitt Adultery with  
 mary knights the wife of John knights of Jeoffery<sup>a</sup>  
 Creeke as by both euidences & Confession of saj<sup>d</sup> mary  
 will Appeare Contrary to the peace of our Soueraigne  
 Lord the king his Crowne & dignity the lawes of God  
 & of this Jurisdiction to wch Indictment he pleaded not Guilty & put  
 himself for tryall on God & the Country after the euidences in y<sup>e</sup> Case  
 produced were read Comitted to the Jury & are on file the Jury brought  
 in their virdict they found the Prisone<sup>r</sup> at the barr not guilty according  
 to Indictment but found him Guilty of vile filthy and abominably  
 libidinous Actions w<sup>th</sup> mary knights wife of John knights of Jeffery  
 Creeke = The Court Considering his offence sentenct him to be re-  
 turned to prison & from thenc on y<sup>e</sup> morrow p<sup>r</sup>sently after the lecture  
 to be taken thence by the marshall General w<sup>th</sup> a Guard & Conveyed to  
 y<sup>e</sup> place of execution & ther caused to stand on howe<sup>r</sup> w<sup>th</sup> a Rope about  
 his neck Cast ouer the Gallowes & thenc to be taken downe & fastned  
 to the Carts tayle & whipt seuerely on his naked ba[c]ke to the prison  
 againe not exceeding forty stripes & there left till the chardge of his  
 Tryall & wittnesses w<sup>th</sup> fees of Court be dischargd.

mary knights wife to John knights of Jeoffery<sup>a</sup> Creeke in the  
 County off Essex for the same offenc being alike presented was brought



to the barr & alike holding vp hir hand was Indicted by the name of mary knights the wife of s<sup>d</sup> John knights as aboue s<sup>d</sup> for that she not hauing the feare of God before hir eyes & being Instigated by the diuill did on the 16<sup>th</sup> of y<sup>e</sup> Instant July in the orchard of Dauid Perkins Comitt Adultery w<sup>th</sup> Phillip Darland of Beuerly in the sajd County miller Contrary to the peace of our Soueraigne Lord the king his Crowne & dignity the law<sup>s</sup> of God & of y<sup>e</sup> Jurisdiction to which Indictment she pleaded not Guilty & alike put himself on tryall as aboue After the euedences in the Case produced were Read Comitted to the Jury & are on file the Jury brought in their virdict as aboue in all Respects adding the word whorish to y<sup>e</sup> Actions The Court sentenc<sup>t</sup> hir in all respect as they had Phillip Darland as aboue & <sup>^</sup>  
wch sentenc was executed & they Returnd to Prison

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seuerall of the magis<sup>ts</sup> being not well in the County of Essex and so not likely <sup>^</sup> at that County Courts Adjourn<sup>mt</sup> on wednsday next the Council Judged it meet to desire & Appoint Thomas Danforth Esq<sup>r</sup> dep<sup>t</sup> Go<sup>vd</sup> & James Russell Esq<sup>r</sup> to goe & keepe the sajd County Court on adjournmt w<sup>th</sup> y<sup>e</sup> magis<sup>ts</sup> of y<sup>t</sup> County —  
E.R.S.

Boston  
24 July 1684

Joseph Gatchell being presented & Indicted by the Grand Jury for our Lord the king for blaspemy <sup>22 July 84</sup> <sub>er</sub> and by them put on Tryall, the sajd Joseph Gatchell was sent for out of Prison & being at the barr at the last after many Refusalls to hold vp his hand at the barr or to plead to his Indictment did hold vp his hand & pleaded not Guilty to the Indictment which was Read & was that he y<sup>e</sup> sajd Joseph Gatchell being so presented was Indicted by the name of Joseph Gatchell of Marblehead for that he not hauing the feare of God before his eyes being Instigated by the diuill at the house of Jerremiah Gatchell in discourse about Gennerall Salvation, (wch he sajd was his beleife) and that all men should be saued, being Answered that our Saviou<sup>r</sup> christ sent forth his disciples & Gaue them Comission to preach the Gospell [ie] that whosoever Repents & beleives shall be saued; to which Joseph Gatchell Answered if it be so, he was an Imperfect Saviou<sup>r</sup> & a foole, And this was a yeare agoe & somewhat more, as p the euidences of Elisabeth Gatchell and since in the moneth of march last past & at other times & places hath vttered seuerall hor-

rid blasphemous speeches saying ther was no God, divill or hell, as in and by their evidences may Appeare Contrary to the peace of our Soueraigne Lord the king his Croune & dignity the law of God & of this Jurisdiction to wch as before he pleaded not Guilty & put himself on his tryall by God & the Country = After the Indictmt and evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict: wee find the prisoner at the Barr Joseph Gatchell Guilty as followeth that being aboue a yeare Agoe & somewhat more at the house of Jerremiah Gatchell in discourse about Gennerall Salvation which he saj<sup>d</sup> was his beleife & that all men should be saued being answered that our Sauour christ did send forth his disciples & Gaue them Comission to preach the Gospell that whosoever repents & beleives the Gospell shall be saued that ~~then~~ he did then & there vtter these words that if it were so he was an Imperfect Sauour & a foole =

The Court Adjourned to y<sup>e</sup> 7<sup>th</sup> August at 2 of y<sup>e</sup> clock & then mett And in Ans<sup>r</sup> to the petition of mary knights prisoner It is ordered that the keeper discharge hir the prison at present ~~taking~~ on condicon that shee pay forty shillings mony to the Treasurer of y<sup>e</sup> Country towrds the charge of hir trjall [once] w<sup>th</sup>in three months or else y<sup>t</sup> she be sent for & comitted to prison till y<sup>e</sup> mony be paid.

This Court Adjourned itself to y<sup>e</sup> 14 August at 2 of y<sup>e</sup> clock & mett & Adjourned to the 21 of same at 2 of y<sup>e</sup> clocke  
& proceeded & then mett

The Court sent for y<sup>e</sup> prisoner Joseph Gatchell & on Consideration of the Crime whereof he stands Convicted by the Jury did sentenc him y<sup>e</sup> s<sup>d</sup> Gatchel to be returnd from this place to the pillory to haue his head & hand put in & haue his toung drawne forth out of his mouth & peiret through w<sup>th</sup> a hott Iron & then to be returnd to the prison there to Remajne vntill he sattisfy & pay all y<sup>e</sup> charges of his tryall & ffes of Court wch Came <sup>^</sup> seuen pounds shillings The marshall Genrll taking necessary help w<sup>th</sup> him is to see y<sup>e</sup> execution of y<sup>s</sup> sentenc pformed

2[8] Aug 1684

y<sup>e</sup> Court was dissolved

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present  
Symon Bradstreet  
Esqr Go<sup>d</sup>  
Tho Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>d</sup>

Att a Court of Assistants held at Boston 2<sup>d</sup> Sep-  
tembe<sup>r</sup> 1684

Willjam Harrison plaintifff Conta Thomas Platts

defend<sup>t</sup> in an action of Appeale on Attaint After the Attachment Courts Judgment Reasons for Attaint & other evidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts [two] pounds sixe shillings = exec Issued out

Willjam Harrison plaintiff Contra Thomas Platts defend<sup>t</sup> in an Action of Appeale on Attaint after the Attachment Courts Judgment Reasons for Attaint & other evidences in the Case produced were read Comitted to the Jury & are on file with y<sup>e</sup> Reccords of this Cour<sup>t</sup> the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts two pounds ten shillings & fowe<sup>r</sup> pence Execu<sup>t</sup> Issued out for 4<sup>ll</sup> c<sup>r</sup>

Cap<sup>t</sup> Nicholas Paige & Ann his wife plain<sup>t</sup> Contr<sup>a</sup> John Wisewall Ju<sup>d</sup> defend<sup>t</sup> in an Action of Appeale on Attaint After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judg<sup>t</sup> & Costs of Courts.

Willjam Rauson plain<sup>t</sup> Cont<sup>r</sup> W<sup>m</sup> Gilbert defend<sup>t</sup> in an action of Appeale on Attaint After the Attachment Courts Judgment reason<sup>s</sup> of Attaint and evidences in the case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Cour<sup>t</sup> the Jury brough<sup>t</sup> in their virdict they found for the defendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts —.

Henry Tyte plain<sup>t</sup> Con<sup>a</sup> Arthur mason defend<sup>t</sup> in an Action of Appeale from the Judgmen<sup>t</sup> of the

Daniel Gookin  
Nath Saltonstall  
Humphry dany  
Jn<sup>e</sup> Richards  
Robert Pyke Esq<sup>r</sup>  
Jn<sup>e</sup> Woodbridge  
Elisha Cooke  
W<sup>m</sup> Johnson  
Jn<sup>e</sup> Hathorne  
Elisha Hutchinson  
Samuel Seawall

— — —  
persons Returnd to  
serve on y<sup>e</sup> Grand  
Jury

— — —  
m<sup>r</sup> Symon Lynde  
Eljakim Hutchinson  
Jarvis Ballard  
Richard wharton  
Samuel Shrimpton  
John Pyncheon  
Lawrenc Douse  
Samuel Kettle  
Robert willjams  
Samuel willjams  
Henry Leadbetter  
Thomas Tyleston  
Tho ffox  
Richard Settle  
Jn<sup>e</sup> stedman  
W<sup>m</sup> maning

— — —  
persons Returnd to  
serve on y<sup>e</sup> Jury of  
Attaints & Appeales  
c<sup>r</sup> for Attaints &  
sworne

— — —  
m<sup>r</sup> Sam Parris  
Jn<sup>e</sup> marrion  
Joseph Parsons  
Richard Crispe  
Bozoone Allen  
Sam Phipps  
Peter ffole  
Dani: Smith  
Zecharyah Long  
James Louden  
James mellowes  
Tho cheney [se<sup>n</sup>]  
stephen willjams  
Samuel Pason  
Richard Hall  
Increase Sumer \*  
Charles Davenport  
Jn<sup>e</sup> minot  
Samuel Hix

---

\* Sumner?

Jn<sup>o</sup> mosse  
Jn<sup>o</sup> Coolidge  
Isa Ryall  
Jn<sup>o</sup> Hamond  
Jn<sup>o</sup> spring  
— — — —  
County Court in April last in Boston After the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Records of this Cour<sup>t</sup> the Jury brought in their virdict they found for the deffend<sup>t</sup> confirmation of the forme<sup>r</sup> Judgment & Costs of Courts thirty nine shillings & six pence & 7<sup>s</sup> da<sup>m</sup> —

Jn<sup>o</sup> Putnam plaint Con<sup>ta</sup> Thomas Baker deffend<sup>t</sup> in an acti[on] of Appeale ffrom the Judgment of the County Court at Ipswich: After the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Records of this Cour<sup>t</sup> the Jury brought in their virdict they found for the plaintiff reuersion of the former Judgt & Costs of Courts three pounds eleven shillings & sixpence —

In the Case of Sarah Cooper || late || wife to Thomas Cooper The Court on pe<sup>r</sup>vsall of the evidences in the Case produced she suing for a divorce the Court grants hir Request —

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24 \* Jury for Appeale  
wer Returnd &  
sworne  
m<sup>r</sup> [Edward willy†]  
Richard Crispe  
Peter foule  
James Louden  
James mellowes  
stephen williams  
Richard Hall  
Charles Dauenport  
Jn<sup>o</sup> mosse  
John Hamond  
Jonathan Bridgam  
John Scarlet in  
behalf of Iner.  
Su[un]e went  
sick hom:  
— — — —  
1<sup>st</sup> † Jur.  
persons Returnd  
to serve on  
Appeale & sworn  
m<sup>r</sup> Sam Parris  
Joseph Parsons  
Bozoone Allen  
Dani. Smith

m<sup>r</sup> Nicholas Paige & Ann<sup>a</sup> his wife plaint Con<sup>ta</sup> m<sup>r</sup> John wisewall se<sup>n</sup> & m<sup>s</sup> Elisabeth || Cooke || Executrix to y<sup>e</sup> late Left Richard Cooke defend<sup>t</sup> in an Action of Appeale from the Judgment of the last County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file with the Reccords of this Court the Jury brought in their virdict, they found for the deffend<sup>ta</sup> Confirmation of the former virdict & Costs of Courts.

m Jn<sup>o</sup> wisewall se<sup>n</sup> & m<sup>s</sup> Elisabeth Cooke executrix to y<sup>e</sup> late Left Rich Cooke plaint<sup>ffs</sup> Conta Cap<sup>t</sup> Nicholas Paige e<sup>r</sup> defend<sup>t</sup> In An Action of Appeale from the Judgm<sup>t</sup> of the last County Cour<sup>t</sup> in Boston as to a non Suite — on a full hearing of both plain<sup>tiff</sup> & deffend<sup>t</sup> The Bench doe Give Judgment for the plantiffs and doe declare that the pape<sup>s</sup> in ques-

\* Written over "1st."

† Or Wills.

‡ Written over "2d."

tion ought to have been deliuered to the former Jury :  
& Grants y<sup>e</sup> plaintiffs Costs of Courts

Zeckaryah Long  
Thomas Cheny  
Samuel Pason  
Isack Ryall  
John Mynot  
Samuel Hix  
John Coolidge  
John Spring  
— — — —

Jeremiah Toy plaintiff Con<sup>ra</sup> James Loyd defend<sup>t</sup>  
in an Action of Appeale from the last County Court in  
Boston After the Attachment Courts Judgm<sup>t</sup> Reasons  
of Appeale & evidences in the Case produced were  
read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court  
the Jury brought in their virdict they found for the deffendant Con-  
firmation of the forme<sup>r</sup> Judgm<sup>t</sup> & costs of Courts : two pounds fueteen<sup>h</sup>  
& fowe<sup>r</sup> pence Exec. Issued out

Thomas Harwood plaint Con<sup>ra</sup> Jerremiah Toy defend<sup>t</sup> In an action  
of Appeale from the Judgment of the last County Court in Boston  
after the Attachmen<sup>t</sup> Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences  
in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup>  
the Reccords of this Court the Jury brought in their virdict they found  
for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of  
Courts three pounds one shilling & sixe pence —

John Harwood || [señ] || plan<sup>t</sup> Contr<sup>a</sup> Stephen Bur- Harwood Con<sup>ra</sup>  
ton deffend<sup>t</sup> in an Action of Appeal from the Judg- Burton  
ment of the last County Court in Boston After y<sup>e</sup> Attachment Courts  
Judgmen<sup>t</sup> Reasons of Appeale & evidences in the Case produced were  
read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this  
Court the Jury brought in their virdict they found for the deffendant<sup>h</sup>  
Costs of Courts.

Edmond Pe<sup>r</sup>kins plt Cont<sup>a</sup> John ffenn<sup>o</sup> defend<sup>t</sup> in Perkins Con<sup>ra</sup> ffenn<sup>o</sup>  
An Action of Appeale from the Judgment of the last  
County Court in Boston after the Attachm<sup>t</sup> Courts  
Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case  
produced were read Comitted to the Jury & are on file  
w<sup>th</sup> the Records of this Cour<sup>t</sup> the Jury brought in their virdict they  
found for y<sup>e</sup> deffend<sup>t</sup> Confirmation of the former Judgm<sup>t</sup> & Costs of  
Courts three pounds eight shillings & six pene The plaintiff Attainted  
the Jury for errors || & mistakes || and himselfe in twenty pounds &  
willjam Payne & Joseph Homes sue<sup>t</sup>jes in tenn pounds Apeece  
acknowledged themselues heirs c<sup>r</sup> in sajd sumes respectively bound to

Attaint  
m<sup>r</sup> Tho Parris \*  
foreman

\* Error of the Secretary for "Sam Parris"? See the list of jurymen.

the Treasurer of the Country & party Concerned that the said Edmond Perkins shall prosecute his Attaint ag<sup>t</sup> the Jury at the nex<sup>t</sup> Court of Assistants to effect

**Sarah Coopers** In the Case of Sarah Cooper late wife to Thomas  
**Ans<sup>r</sup>** Cooper The Court on pe<sup>r</sup>v<sup>s</sup>all of y<sup>e</sup> evidences in y<sup>e</sup>  
 Case produced she suing for a divorce y<sup>e</sup> Court Grants hir Request *er*\*

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Jn<sup>o</sup> mills plaintiff Conta John Johnson se<sup>n</sup> deffend<sup>t</sup> in an Acc<sup>o</sup>n  
 of Appeale from the Judgment of the County Court  
**Johnson Cont<sup>o</sup> mills †** at charles Toun<sup>e</sup> After y<sup>e</sup> Attachment Courts Judg-  
 ment reasons of Appeale & evidences in the Case produced were read  
 Comitted to the Jury & are on file the Jury brought in their virdict  
 they found for the defendant Confirmation of the forme<sup>r</sup> Judgment  
 damag nine pounds Costs of Courts thirty nine shillings & eight pence —

Samuel Basse plaint Cont<sup>a</sup> Joseph Crosby defend<sup>t</sup>  
**Basse Cont<sup>a</sup> Crosby** in an action of Appeale from the Judgment of the  
**Attaint** County Court in Boston After y<sup>e</sup> Attachment Courts  
 Judgment Reasons of Appeale & evidences in the  
 Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the  
 Recor<sup>r</sup>ds of this Cour<sup>t</sup> the Jury brought in their virdict they found for  
 y<sup>e</sup> deffend<sup>t</sup> Confirmation of the former Judgm<sup>t</sup> & Costs of Courts. —  
~~Joseph~~ || xtopher || Webb Attorney to s<sup>d</sup> Basse *er* Attainted y<sup>e</sup> Jury  
 for error and himself as & on behalf of y<sup>e</sup> p<sup>r</sup>incipall in fiuteene  
 pounds & Joseph webb his sue<sup>r</sup>ty in 15<sup>th</sup> acknowledged themselues re-  
 spectively bound & their heires *er* in s<sup>d</sup> somes to the Tresurer of the  
 Country & party Concern<sup>d</sup> that said Webb shall p<sup>r</sup>secute his Attaint at  
 y<sup>e</sup> nex<sup>t</sup> Court of Assis<sup>ts</sup> to effect —

Richard Downing plaintiff ag<sup>t</sup> Joseph Boober || &  
**Downing Cont<sup>a</sup>** Joane his wif || deffend<sup>t</sup> In an Action of Appeale f<sup>r</sup>om  
**Boober** the Judgm<sup>t</sup> of the County Court in Salem. After  
 the Attachment Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the  
 Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the  
 Records of this Cour<sup>t</sup> the Jury brought in their virdict they found  
 for the deffend<sup>t</sup> Confirmation of the former Judgment & Costs of Courts  
 — three pounds nineteen shilling<sup>s</sup> & sixe pence

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\* This is a repetition of the record on the preceding page of the original.

† So in the original.

Tho: Bake<sup>r</sup> plaint Con<sup>a</sup> James Pemberton defend<sup>t</sup>  
 in an action of Appeale from the Judgment of the  
 County Court in Boston After the Attachment Courts  
 Judgment Reasons of Appeale & evidences in the Case produced were  
 read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court  
 the Jury brought in their virdict they found for the deffend<sup>t</sup> Confir-  
 mation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts two pounds tenn shil-  
 ling exec<sup>a</sup>

Baker Con<sup>a</sup> Pem-  
 berton

Symon Bradstreet Esq<sup>r</sup> Go<sup>o</sup> plt Con<sup>a</sup> Peter Coffyn  
 deffend<sup>t</sup> in an action of Appeale from the Judgment  
 of the County Court In Boston the plantiff w<sup>th</sup>drewe  
 his Action —

Go<sup>o</sup> Bradstreet  
 Con<sup>a</sup> Coffyn

Cap<sup>t</sup> daniel Epps pl<sup>t</sup> Conta m<sup>r</sup> Henry Bennet  
 deffend<sup>t</sup> in An action of Appeale from the Judgment  
 of the County Court at Salem. After y<sup>e</sup> Attachmt Courts Judgment  
 Reasons of Appeale & evidences in the Case produced were read  
 Comitted to the Jury and ate on file w<sup>th</sup> the Reccords of this Court the  
 Jury brought in their virdict the Jury found for the Appellant Reuer-  
 sion of the former Judgment & the Indian Boy in Controuersy to be  
 deliuered the Appellant w<sup>th</sup>in tenn days time or twenty pounds money<sup>s</sup>  
 & Costs of Courts five pounds sixe shillings & three penc

Epps Con<sup>a</sup> Bennet

Samuell Bagly \* plt Contra James webster deffend<sup>t</sup>  
 in an Action of Appeale from the Judgment of the  
 County Court in Boston in Aprill last After the  
 Attachment Courts Judgment Reasons of Appeale & evidences in  
 the Case produced were Read Comitted to the Jury and are on file  
 w<sup>th</sup> the Records of this Court the Jury brought in their virdict they  
 found for the deffend<sup>t</sup> Confirmation of the former Judgmen<sup>t</sup> 7<sup>li</sup> mo  
 damage & Costs of Courts forty shillings & 8<sup>d</sup>

Bagly \* Conta web-  
 ster

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James Tounsand pl<sup>t</sup> Con<sup>a</sup> Tho Edwards defend<sup>t</sup> In an action of  
 Appeale from the Judgment of the County Court In Boston after the  
 Attachment Courts Judgment Reasons of Appeale & evidences in  
 the Case produced were read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup>

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\* Or Bagly.

the Records of this Court the Jury brought in their virdict they found for y<sup>e</sup> plaintiff ~~confirmation~~ Reuersion of the former Judgmen<sup>t</sup> & that the defendant Give to the plaintiff a true & Just accomp<sup>t</sup> of the par<sup>t</sup> of the ship sued for & earnings w<sup>th</sup>in one years time or two hundred pounds money And the house & land Attached to Abide for security & Costs of Courts three pounds one shilling & fowe<sup>r</sup> pence =

Townsend Conta  
Tho Edwards —

Roge<sup>r</sup> Adams plain<sup>t</sup> Conta Jn<sup>o</sup> Bake<sup>r</sup> of Roxb[ury] deffend<sup>t</sup> in an action of Appeale from the Judgm<sup>t</sup> of the County Court held at Boston in Aprill last After the Attachmen<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file with the reccords of this Court the Jury brought in their virdict they found for y<sup>e</sup> Appellant reuersion of the former virdict & that the deffendant deli<sup>d</sup> in to the Appellant the estate sued for according to Inventory or forty two pounds seuen shillings & nine penc & Costs of Courts [42<sup>s</sup>] & 10<sup>d</sup>

Addams Conta  
Baker [An A]stant

Jn<sup>o</sup> Bake<sup>r</sup> Attainted the Jury for erro<sup>r</sup> & himself principle in twenty pounds & Joseph Homes & Joseph Cowell sue<sup>t</sup>jes in tenn pounds a peec acknowledged themselves Respectively bound in s<sup>d</sup> somes to the Treasure<sup>r</sup> of the Country & party Concernd that sajd Bake<sup>r</sup> shall psecut his Attaint to effect at y<sup>e</sup> nex<sup>t</sup> Court of Assistants

Heman Conta Chapen

Nathaniel Heman Con<sup>ta</sup> John Chapen deffend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of the Commission's Court in Boston the plantiff w<sup>th</sup>drw his Acco<sup>n</sup>

wardell Con<sup>ta</sup> Pittam

Elizabeth wardell plt Conta J<sup>no</sup> Pittam in an Action of Appeal from the Judgm<sup>t</sup> of y<sup>e</sup> Commission's Cour<sup>t</sup> the plant w<sup>th</sup>drw y<sup>e</sup> Acco<sup>n</sup>:

Edward Allen plan<sup>t</sup> Con<sup>ta</sup> Asaph Elljot defend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of the Comissione's Court held in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in y<sup>e</sup> Case produced were read Comitted to the Jury & are on file the Jury brought in their virdict they found a speciall virdict i e if the law be that the Appellants appearing & Joyning Issue as Adm[in]istrato<sup>r</sup> to Abraham Spencer deceased & no other testimony to vs Appearing to proove him so be sufficient to make him liable to y<sup>e</sup> former Judgment as Adm[in]istrator then wee find for

Allin Conta: Elliot



the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment w<sup>th</sup> costs of Courts If the law be otherwise wee find for y<sup>e</sup> Appellant Re<sup>u</sup>sing the former Judgm<sup>t</sup> w<sup>th</sup> Costs of Courts = the Bene[h] finds for y<sup>e</sup> defend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment w<sup>th</sup> Costs of Courts damage sixe pounds eighteen shillings & eight pence mony & Costs 29<sup>s</sup> 10<sup>d</sup>. =

Joseph Homes plan<sup>t</sup> Conta Ann sheffield als Homes Cont<sup>r</sup> Sheffield  
 Perry defend<sup>t</sup> in an Action of Appeale from the Judg-  
 men<sup>t</sup> of the County Court in Boston After the Attachment Courts  
 Judgment Reasons of Appeale & evidences in the Case produced were  
 read Comitted to the Jury & are on file || w<sup>th</sup> the Rec-  
 ords of y<sup>e</sup> Court || the Jury brought in their virdict 2<sup>d</sup> Jur  
 they found for the defendant Confirmation of the Edw. willy \* forem<sup>a</sup>  
 forme<sup>r</sup> Judgm<sup>t</sup> w<sup>th</sup> Costs of Courts y<sup>e</sup> plaintiff Attainted the Jury for error

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and the sajd Joseph Homes principle [in] twenty pounds & Joseph Webb and John Bake<sup>r</sup> in tenn pounds apeece acknowledged themselves respectively bound in those sums to the Treasurer of the Country & party Concerned that Joseph homes shall prosecute his Attaint to effect at the nex<sup>t</sup> Court of Assistants to effect =

Samuel Apleton Ju<sup>d</sup> plan<sup>t</sup> Con<sup>a</sup> Thomas Marshall Apleton Con<sup>a</sup> Marshall  
 defend<sup>t</sup> in an action of Appeale from the Judgment of  
 the County Court at Salem: After the Attachmen<sup>t</sup>  
 Courts Judgment Reasons of Appeale & evidences in the Case pro-  
 duced were read & Comitted to the Jury they brought in their virdict  
 they found for the defend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs  
 of Court forty sixe shillings & two pence =

W<sup>m</sup> Dyre Esq<sup>r</sup> || pln<sup>t</sup> || Con<sup>a</sup> Elisha Hutchinson Esq<sup>r</sup> deffend<sup>t</sup> in an  
 Action of Appeale from the Judgment of the County  
 Court last in Boston After the Attachment Courts W<sup>m</sup> Dyre Esq<sup>r</sup>  
 Conta Elisha  
 Hutchinson Esq<sup>r</sup>  
 Judgment Reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on file  
 w<sup>th</sup> the Records of this Court the Jury brought in their virdict they  
 found for the defendant Confirmation of the forme<sup>r</sup> Judgment & Costs  
 of Courts the plaintiff desired his bond might be chancered The Court  
 hauing heard the plaintiff & defend<sup>t</sup>s pleas as to the Chancering of the

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\* Or WILLS.

bond did chancery it to sixty-eight pounds five shilling<sup>s</sup> & tenn pence mony & Costs of Courts two pounds sixteen shillings & sixe pence.

Samuel Ingolls plain<sup>t</sup> Conta Thomas Bishop deffend<sup>t</sup> in an action of Appeale ¶ from the Judgment of the County Court at Salem ¶ After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to y<sup>e</sup> Jury & are on file two of y<sup>e</sup> Jury being Ill plaintiff & deffend<sup>t</sup> Consented to stand to y<sup>e</sup> tens Award y<sup>e</sup> plaintiff provided it might be no prejudice to his Case as to after proceedings & so the Jury brought in their virdict i: e If the law be y<sup>e</sup> the Affirmation of the ~~defendant~~ Appellant and the testimony of samuel Bishop to proove the payment of the Appellants rent for seven yeares payable to John Bishop and Thomas Bishop their heires and Assignes vnto them or either of them the sume of twenty one pounds tenn shilling for the first yeare and so Annually vnto the end of seven yeares payable at the house of Samuel Bishop and by the affirmation of Appellant and the testimony of the sajd Samuel Bishop wherein he saith that sixe pounds tenn shillings pajd in mault which was the Remainde<sup>r</sup> of Rent remayning of all the rents & payments that Concerned Samuell Ingolls lease which was Given him by John & Thomas Bishop for seue[n] years discharge the Appellant — or if the law be that the sajd Samuel Ingolls be l<sup>j</sup>able to the Suite of Thomas Bishop for the sajd seven yeares Rent w<sup>th</sup>out John Bishops Joyning with him if not, wee finde for the Appellant Re<sup>u</sup>sing the former Judgment w<sup>th</sup> Costs of Courts If the law be otherwise wee finde for the defend<sup>t</sup> coufirmation of the former Judgment w<sup>th</sup> Costs of Courts \* The magis<sup>tr</sup> on pervsall of this virdict doe Judge & declare for the Appellant Re<sup>u</sup>sion of the forme<sup>r</sup> Judgment & Costs of Courts — After the Case was heard & Judgment declared on the

Samuel I[n]golls  
Conta Tho: Bishop

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the† behalfe of the Appellant Samuel Ingolls reuersing the forme<sup>r</sup> Judgment & Granting Costs to s<sup>d</sup> Ingolls, the sajd Ingolls & Thomas Bishop both in open Court to prevent execution Issuing out, and for prevention of future trouble in law did Agree as followeth: The sajd Ingolls for peace sake doth engage to beare his oune Charges which he

\* The language of this verdict is not clear, but the record agrees with the original verdict on file. (See Court Files, Suffolk, No. 2243.)

† "the" repeated in the record.

is out in prosecution of the Case from the beginning the said Thomas Bishop is also to beare whateuer Costs he hath binn at about said Case — further the said Ingolls is to giue || bill || to said Thomas Bishop of tenn pounds in Currant neat Catle Corne or porke to be deliuered at the house where said Bishop<sup>s</sup> Brother djed jn Ipswich: vpon the giving of his bill the said Thomas Bishop doeth hereby give the said Ingolls a Receipt & full discharge of the whole seven yeares Rent sued for, acquitting not only from himself but from the successo's of his Brother John Bishop who is in the originall lease mentioned as one of the lessor's of the said farme which ljes in Ipswich And It is mutually Agreed that the bill of tenn pounds as aboue being given by Ingolls to Thomas Bishop then the said Ingalls may w<sup>th</sup> leaue of the County Court for Essex take vp the originall lease as is there lodged whereby a future tryall or trouble about y<sup>e</sup> seven yeares Rent sued for may be prevented;

Ingolls & Bishop<sup>s</sup>  
Agreement =

Tho: Bishop  
Samuel Ingolls

Boston 11 Sept 1684 This agreement was signed and the bill was ounded to be giuen accordingly in Court the day & yeare aboue said as Attests

Edward Rawson Secre<sup>ty</sup>

Samuel Bishop plaintiff Contr<sup>a</sup>. Josiah Clarke deffendant in an action of Appeale from the Judgment of the County Court at Salem After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for y<sup>e</sup> defendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Court

Bishop Contr<sup>a</sup> Clarke

This Court was Adjourned to the tenth Instant at 8 of y<sup>e</sup> clock & from thenc diem p djem till y<sup>e</sup> 19<sup>th</sup> & then to the 20 & thenc to the 25<sup>th</sup> of Septembe<sup>r</sup> 1684 —

W<sup>m</sup> Dyre Esq<sup>r</sup> exhibbited to the Honno<sup>ble</sup> Go<sup>vrno</sup><sup>r</sup> A large libell or Articles on 4<sup>th</sup> Instant ag<sup>t</sup> Cap<sup>t</sup> michael Andreason [Comma]nde<sup>r</sup> of the ship Triumpue[z] & his Com[pan]y e<sup>r</sup> weh the Gouverno<sup>r</sup> Com[mun]icated After some Consideration to the magists & Court who Considering thereof as the Courts Occasions would pmit the Court being Adjourned from time to tyme as Aboue at y<sup>e</sup> Adjourn<sup>t</sup> on 19<sup>th</sup> Instant

Judged it meete to grant y<sup>e</sup> Request of sajd Capt michael Andreson, orde<sup>d</sup> y<sup>e</sup> secretary to Grant him a Coppy of sajd large libell to give their Answe<sup>r</sup> thereto in the morning at 8 or 9 of y<sup>e</sup> clock to wch time the Court was Adjourned wch was don & 20 Instant sajd Michael Andreson Came & gaue In his Ans<sup>r</sup> & se<sup>u</sup>ll depositions c<sup>r</sup>

& on 25 Instant to  
wch time y<sup>e</sup> Court  
was Adjourned  
day by day  
The examinations &  
Courts observations  
thereupon is on file =

The Court hauing examined the spanish witnesses who much Contradicting their oune oaths the Courts Judgment was c<sup>r</sup>

The Court hauing perused the spanish evidences || c<sup>r</sup> || finding the persons therunto Attesting to be [s]paniards now

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the enemys of the french king and his subjects & Captaine michael Andresons prisone's, and that what is contejned therein is almost in euery Artickle very false, as Appeares by Comparing this with what was taken from their oune mouthes in their oune language in open Court by m<sup>r</sup> John Champlyn & D<sup>r</sup> Hughes their Interprete's no[w] on file doe Judge that either their former Interpreter (if they had any) was not ~~faith~~ || skill || full in their language or that the spaniards did sweare very falsly, and that therefore their oathes ought not to haue binn affixed to this paper nor any Credit to be given therunto as such and doe further orde<sup>r</sup> that this be endorsed vpon the originall taken by m<sup>r</sup> faireweather — wch is donne = The Judgment of the Court Whereas W<sup>m</sup> Dyre Esq<sup>r</sup> presented to this Court a large Accusation or lybell against Cap<sup>t</sup> michael Andreson & Company who is now in this Port with his ship Called the Trampeuz being Admitted by this Gouvernmen<sup>t</sup> to Come In heere to fitt his ship he declaring he was a man of warr in the french kings Service whom the sajd Dyre Accused of Pyracy and presented testimonjes now on File which this Court hath examined and Considered as also the Answe's testimony's and Comission presented by sajd Andreson; And upon the whole the Court sees no ground to put sajd Andreson upon trjall for Piracy and doe Allow him liberty to proceed on his buisniess; requiring him with all Convenient speed to depart out of this Port according to his Majesties Proclamation; And not to Carry with him any Amunition out of this Colony nor take on board more prouissions then shall be necessary for his transportation to his Commission port = past 25: 7: 84 p Curiã Edwd: Rawson secret

In Answer to a Complaint exhibited by Cap<sup>t</sup> Jonathan wade to this Court w<sup>th</sup> Reference || y<sup>e</sup> actings of y<sup>e</sup> County Court of Essex in order || to the last will of his ffather m<sup>r</sup> Jn<sup>th</sup>an 9 Sep<sup>r</sup> 84  
wade deceased & the settlement of his estate, It is ordered by this Court that s<sup>d</sup> Cap<sup>t</sup> wade || giving || vnder his hand in writing the prticulars wherein

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he Judges that the County Court of Essex hath donn him wrong his Appeale made to this Court shall be fully heard and Considered. By y<sup>e</sup> Court Edw<sup>d</sup> Rawson secret

In Answer to the petition of m<sup>r</sup> Jonathan wade It is Ordered that the Secretary write to the clarke of Salem County Court forthwith to remitt and send to him all the originall petiçons orde's wills and other pape's in his hands forme'ly deliuered into that Court from any of the sonns of the late m<sup>r</sup> Jonathan wade of Ipswich. This Court hauing heereby ordered a hearing of the Case on Appeale At the Adjornmt of this Court to be held in Boston on the 17<sup>th</sup> day of october next at one of the clocke at wch time & place the Aboue sajd m<sup>r</sup> Jonathan wade & his brethe'n are ordered to be sent vnto to be present & Attend their Concernes therein. =

past Edw. Rawson Secre<sup>t</sup>

Cap<sup>t</sup> Jonathan wade hauing at a former session of this Court p<sup>r</sup>sented his Complaint against the Acts of the Court of Essex relating to the estate of his father m<sup>r</sup> Jonathan wade deceased and in that desired that an hearing might be allowed him in that matter at this Court the Court for that end was Adjourned to this day to heare him & ordered that the sajd Jonathan & his other Brothe's m<sup>r</sup> Nathaniel & m<sup>r</sup> Thomas wade<sup>s</sup> appearance & the originall pape's || to be || remitted ~~hither and~~ to this Court || By the Clerks of the County courts of Essex w<sup>ch</sup> w<sup>n</sup> it was done and the papers remitted hither & \* || Cap<sup>t</sup> wade ordered to proceed ; He refused to make any plea and sajd he desired not an Appeale in the Case, But that the first will of his father (which was denied by the Court to be accepted as his fathe's will) might without any alteration be deliuered to him ; which this Court see<sup>s</sup> no Cause to grant without an hearing, and therefore all partjes Concerned are dismissed,

At y<sup>e</sup> Court by Adjourn<sup>t</sup> 17 october  
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\* These twenty words, between the upright parallels, are in the margin of the record and in a different hand, apparently that of Isaac Addington, the successor of Secretary Rawson.

And the Secretary is hereby ordered to returne to the seuerall Clarkes of the County Courts of Essex all the Individuall orde's, pape's & originalls or Coppies that were by the sajd Clarkes transmitted to him

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present  
Symon Bradstreet  
Esq<sup>r</sup> Go

Tho Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go

Daniel Gookin  
Humphry Davy  
John Richards  
Sam. Nowell  
James Russell  
sam Apleton Esq<sup>r</sup>  
Robert Pike  
Elisha Cooke  
W<sup>m</sup> Johnson  
Elisha Hutchinson  
samuel || Sewall ||

persons Returnd to  
serve on y<sup>e</sup> Grand  
Jury & sworne

Left sam: Ruggles  
Joseph How

Jn<sup>e</sup> scarlet  
James Hill  
James Pecker  
Richard Hall  
Isack Jones  
Timothy Steevens  
Richard Loudon  
Jn<sup>e</sup> Call  
david fl[s]ke  
Robert Herrington  
Tho fllegg —  
— — — —

person<sup>s</sup> Returnd to  
serve on the Jury for  
Attaints & sworne

— — — —  
Cap<sup>t</sup> Ephraim Sausage

Symon Daniel  
Isack marrjan  
Josiah Torrey  
Samuel Bignell  
Samuel Greene  
Sam<sup>l</sup> symson  
James ffoster  
sam. Capen  
Joseph Leeds  
Robert Peirpoint

Att A Court of Assistan's held at Boston 3<sup>d</sup> march  
1684

Edmond Perkins plaintiff on Attaynt Con<sup>ta</sup> John ffenno defendant in <sup>A</sup> Action of Appeale from the Judgment of the last court of Assistants from the virdict of the Jury whereof \* was foreman After the Courts Judgment Reasons for y<sup>e</sup> Attaint & euidences of the Case produced were Read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for y<sup>e</sup> deffendant Confirmation of the former Judgment & Costs of Courts, 3, 13<sup>s</sup> & Costs of Courts fowe<sup>r</sup> pounds 3 shillings & sixepence † fil. p<sup>d</sup>

Joseph Homes ptiff in an action of Attaint from the virdict of the Jury whereof \* was foreman Con<sup>ta</sup> Ann Sheffield alj<sup>s</sup>: Perry de After the Courts Judgmen<sup>t</sup> Reasons for Attaint & other euidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts

Jn<sup>e</sup> Bake<sup>r</sup> plaintiff in an Action of Attaint from the virdict of the Jury whereof \* was foreman || con<sup>ta</sup> Roger Addams deffend<sup>t</sup> ||. After the Courts Judgment Reason<sup>s</sup> for Attaint ~~& other euidences in the Case produced were read~~ the plaintiff was 3 times Called but not Appea[ri]ng was non suited & his bond declared to be forfeited —

Tho Baker plaintiff Conta W<sup>m</sup> Condy defendant in an action of Appeale from the Judgment of the

\* Left blank in the record.

† So in the original.

County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court y<sup>e</sup> plaintiff w<sup>th</sup> drew his Action by his not Answering to his Call =

samuel Crafts  
Benja Sabjn  
Ralph Broadhurst  
Jn<sup>e</sup> Graueaner  
Tho Jenner  
Tho Lord  
Sam Gookin  
Ebenez<sup>r</sup> wisewall  
Nicholas Englesbe  
Jn<sup>e</sup> Parkhurst  
Tho. wilson  
John knight  
samuel scarborough  
— — — —

John Griffyn plaintiff Cont<sup>a</sup> Joseph knight deffend-  
ant in an action of Appeale from the Judgment of the  
County Court in Boston After the Attachmen<sup>t</sup> Courts  
Judgment Reasons of Appeale & other evidences in  
the Case produced were read Comitted to the Jury and ar on file the  
Jury brought in their virdict they found for the plaintiff Reuersion of  
the former Judgment & Costs of of Court wch by Consent of Xtophe<sup>r</sup>  
webb Attorney to s<sup>d</sup> Griffin was brought on chancery of y<sup>e</sup> bond in all  
to six pounds & filing 2<sup>s</sup>

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Jn<sup>e</sup> Norman plaint Cont<sup>a</sup> Benja: Orne deffend<sup>t</sup> in  
an action of Appeale from the Judgment of y<sup>e</sup> County  
Court at Salem after the attachm<sup>t</sup> Courts Judgment Reasons of Appeale  
& evidences in the Case produced were read Comitted to the Jury & are  
on file w<sup>th</sup> the Reccords of this Court the Jury brought in their vir-  
dict they found for the deffendant ~~reversion~~ || confirmation || of the  
former Judgment & Costs of Courts three || two || pounds nineteen  
shillings & 8<sup>d</sup>

Norman Cont<sup>a</sup> Orne

francis Wyman || plt || Conta Henry sumers de-  
fend<sup>t</sup> in an Action of Appeale from the Judgment of  
the County Court at Cambridg after the Attachment  
Courts Judgment Reasons of Appeale & evidences in the Case produced  
were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this  
Court the Jury brought in their virdict they found for the plaintiff  
Reuersion of the former Judgm<sup>t</sup> & Costs of Courts e<sup>r</sup> five pounds two  
shillings & ten pence

wyman Against  
sumers

Thomas Baker plaint Conta Thomas & Joseph  
Pemberton defend's in an action of Appeale from the  
Judgment of the County Court in Boston After the  
Attachment Courts Judgment Reasons of Appeale &  
othe<sup>r</sup> evidences in the case produced were read comitted to the Jury &

Baker conta Tho &  
Jose pemberton  
executi: Issued  
out

are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for y<sup>e</sup> plaintiff Confirmation of y<sup>e</sup> former Judgment on shilling\* Addition & costs of Courts; damage & costs in all eight pounds fowe<sup>r</sup> shillings & Sixe pence

Samuel Jackljn plt Conta Thomas Pembe<sup>n</sup>ton  
 Jackljn Conta      deffend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup> of  
 Pemberton      the County Court in Boston After the Attachm<sup>t</sup> Courts  
 Judgment Reasons of Appeale & evidences in the Case produced were  
 read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Reccords of this Court  
 the Jury brought in their virdict they found for the plaintiff Reuersion  
 of the former Judgment || & || ten pounds fueteen shilling || mony || dam-  
 age & costs of Courts fower pounds eighteen shilling<sup>s</sup> & fowe<sup>r</sup> penc †

Jn<sup>th</sup>an dawes plt Con<sup>ra</sup> Henry Petit deffend<sup>t</sup> in  
 Dawes ag<sup>t</sup> Petit      an action of Appeale from the Judgm<sup>t</sup> of the Commis-  
 sion's Court the plaintiff w<sup>th</sup>drew his Accon

m<sup>r</sup> Edward will[is] plt Conta Cap<sup>t</sup> Ephraim Sauage deffend<sup>t</sup> in an  
 action of Appeale from the Judgment of the County  
 m<sup>r</sup> Edw<sup>d</sup> will[is] †      Court in Boston after the Attachment Courts Judg-  
 Con<sup>t</sup> Cap<sup>t</sup> Sauage. =      ment reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on file the Jury  
 brought in their virdict they found for the deffend<sup>t</sup> Confirmation of  
 the former judgment & costs of Courts thirty nine shilling<sup>s</sup> & 4<sup>d</sup> in all

Tymothy Brookes plt Conta Benjamin Muzzey  
 Brookes Conta      deffend<sup>t</sup> in an action of Appeale from the Judgment  
 Muzzey.      of the County Court at Charlestown after the Attachm<sup>t</sup>  
 courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced  
 were read Comitted to the Jury & are on file with the Reccords of this  
 Court the Jury brought in their virdict they found for the defend<sup>t</sup>  
 Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> w<sup>th</sup> [tenn] pounds Abatement &  
 Costs of Courts

\* At the County Court the verdict was for Baker for 5<sup>s</sup>. Baker appealed from that verdict.

† At the County Court the verdict was for the defendant, Pemberton, costs of court, the suit being for £10 16s damage.

‡ Or Willy. It is Willys in the County Court Record.



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Jn<sup>o</sup> Endecott Attorney to John Roberts \* plt  
 Con<sup>ta</sup> Jn<sup>o</sup> Heyward Attorney to John Coleman [plain-  
 tiff Con<sup>ta</sup> John Heyward & †] defend<sup>t</sup> in an action of  
 Appeale from the Judgmen<sup>t</sup> of the County Court in Boston after the  
 Attachmen<sup>t</sup> Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences in the  
 Case produced were read Comitted to the Jury and are on file the Jury  
 brought in their virdict they found for y<sup>e</sup> defendant Confirmation of  
 the forme<sup>r</sup> Judgment & Costs of Courts thirty nine shillings = damag.  
 32. 16. ‡ 6: in all 34 16. 6.

Endecott con<sup>ta</sup>  
 Heyward.

Robe<sup>t</sup> Bronsdon pl<sup>t</sup> Con<sup>ta</sup> Jn<sup>o</sup> Conney || sen || defend<sup>t</sup> in an Action  
 of Appeale from the Judgmen<sup>t</sup> of the County Cour<sup>t</sup> in Boston after  
 the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale &  
 evidences in the Case produced were read Comitted  
 to the Jury & are on file w<sup>th</sup> the Reccords of this  
 Court the Jury brought in their virdict they found for y<sup>e</sup> defendant  
 Confirmation of the former Judgment & Costs of Courts fiuteen  
 shillings & sixe pence =

Bronsdon Con<sup>ta</sup>  
 Coney

Jn<sup>o</sup> Marrian Administrato<sup>r</sup> to y<sup>e</sup> estate of y<sup>e</sup> late Tho Batt plan  
 con<sup>ta</sup> m's mary Lake widow executrix *et* in an Action  
 of Appeale from the Judgm<sup>t</sup> of the Comission's Court  
 after the Attachment Courts Judgment Reasons of  
 Appeale & evidences in the Case produced were read Comitted to the  
 Jury & are on file the Jury brought in their virdict they found a spe-  
 ciall virdict If a dead man's bookes well kept be legall we find for y<sup>e</sup>  
 deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts if not  
 then wee find for the plaintiff Costs of Courts the magists voted for y<sup>e</sup>  
 plaintiff.

Marian Con<sup>ta</sup>  
 Lake

Benja ffarr plt Con<sup>ta</sup> Josiah witter deffend<sup>t</sup> in an  
 Accon of Appeale from the Judgment of the County  
 Court at Ipswich the plt desiring & pleading for a non suite because  
 the letter of Attorney was not prooved the Court on hearing of the  
 parties granted the plaintiff a non Suite w<sup>th</sup> Reu<sup>s</sup>ion of the forme<sup>r</sup>

ffarr Con<sup>ta</sup> witter

\* Joseph Roberts in the County Court Record.

† These five words are superfluous, as appears by the description of the parties in the County Court Record.

‡ 17 in the County Court Record.

Judgment in the Case w<sup>th</sup> Costs of Courts fuety one shilling & sixe pene

Tristram Coffyn Attorney to Peter Coffyn plant  
 Peter Coffin Con<sup>ra</sup>    Conta Symon Bradstret Esq<sup>r</sup> Go<sup>o</sup>no<sup>r</sup> deffend<sup>t</sup> After  
 Symon Bradstreet    the Attachmen<sup>t</sup> Courts Judgment Reasons of Appeale  
 Esq<sup>r</sup>                    & othe<sup>r</sup> evidences in the Case produced were read  
 Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the  
 Jury brought in their virdict they found for the deffendant Confirmation  
 of the forme<sup>r</sup> Judgment & Costs of Courts

Symon Bradstreet Esq<sup>r</sup> plt Conta Peter Coffyn defendan<sup>t</sup> in an  
 action of Appeale from the Judgmen<sup>t</sup> of the County Court in Boston  
 after the Attachmen<sup>t</sup> Courts Judgmen<sup>t</sup> Reason<sup>s</sup> of Appeale & evidences  
 in the Case produced were Read Comitted to the Jury & are on file w<sup>th</sup>  
 the Reccords of this Court the Jury brought in their virdict they  
 found for the defendant Confirmation of the former Judgment & Costs  
 of Courts

Richard Dawes plaint Conta Georg newby In an action of Appeale  
 from the Judgment of the County Court in Boston the plantf w<sup>th</sup>drew  
 his Accon being Agreed

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1684

John Atkinson plt Conta mathew mille<sup>r</sup> defendan<sup>t</sup> in an Accon of  
 Appeale from the Judgmen<sup>t</sup> of the County Court at  
 Atkinson Conta    Salem after the Attachment Courts Judgment Rea-  
 miller ~            sons of Appeale & evidences in the Case produced  
 were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this  
 Court the Jury brought in their virdict they found for the plaintiff re-  
 uersion of the former Judgm<sup>t</sup> & Costs of Courts three pounds fise shil-  
 lings & sixe pene

Joseph Holmes plant Contra James Russell esq<sup>r</sup>  
 deffend<sup>t</sup> In an Action of Appeale from the Judgment  
 Joseph Holmes    of the County Court in Boston After the Attachm<sup>t</sup>  
 Con<sup>ra</sup> James       Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences in  
 Russell esq<sup>r</sup>       the Case produced were read Comitted to the Jury  
 ten pounds [18<sup>s</sup>]    and are on file w<sup>th</sup> the Records of this Court the Jury  
 country pay & 28<sup>d</sup>    brought in their virdict they found for the defend<sup>t</sup> Confirmation of  
 7<sup>s</sup>. 6<sup>d</sup> mony

the forme' Judgm' & Costs of Courts forty [9<sup>s</sup>] 4<sup>d</sup> in all forty one pounds 14<sup>s</sup> 6<sup>d</sup> =

Samuel Gibson plt Conta Christophe' Read deffend' In an action of Appeale from the Judgm' of the County Court at Cambridg: After the Attachment Courts Judgment Gibson Conta Read Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the plaintiff reuersion of the former Judgment & Costs of Courts fiuety shillings e<sup>r</sup>

Georg Norton plaintiff Con<sup>ra</sup> John Plaisted in an Action of Appeale from the Judgment of the County Court at Boston afte' the Attachment Courts Judgmen' Rea- Norton Conta Plaisted sons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme' Judgment & Costs of Courts thirty one shillings & nine pence

m' Richd wharton m' Hezekiah vshe' Daniel Turel Ju<sup>n</sup> & Jn<sup>o</sup> white pl' Conta Joseph Smith defend' in An Action of Appeale from the Judgment of the County Cour' in Wharton e<sup>r</sup> Conta Smith Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file they brought in their virdict they found for y<sup>e</sup> deffend' Confirmation of the form' Judgm' & Costs of Courts this Judgm' Respited till y<sup>e</sup> Adjournm' of y<sup>e</sup> Court i e 19<sup>th</sup> instant e<sup>r</sup>

Hannah Armetage Came into this Court ^ made choyce of John ffloyd of Rumley marsh to be hir Guardian The Court orde's & Alloues of hir choyce of Hannah Armitage Guardian of Jn<sup>o</sup> ffloyd to be hir Guardian as Attest Edw Rawson Secr

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1684

Wee the Grand Jury for our Soueraigne Lord the king doe p'sent and Indict John Dounton son of w<sup>m</sup> Dounton of Salem in the County of Essex for that he the sajd John Dounton no<sup>t</sup> hauing the feare of God before his eyes & being Instigated by the divill on the 29<sup>th</sup> octobe'

last did wickedly maliciously & feloniously murther Rebeckah Booth by discharging a Gunn in the house of Jn<sup>o</sup> Hende'son of sajd Salem Contrary to the peace of our Soueraigne Lord the king his Crowne & dignity the lawe of God & of this Jurisdiction title murder. = the Grand Jury found not this bill but ~~found~~ ¶ Indict & prsent ¶ him the sajd John Dounty \* of Salem for chance medly by Careless discharging of a Gunn was the death of Rebecka Booth. = The Court considering of this virdict did sentenc the sajd John Dounton to pay vnto the Parents of the sajd Rebecka Booth the sume of fve pounds in mony & that he pay tenn pounds mony as a fine to the Country or be whip<sup>t</sup> w<sup>th</sup> fiveteen stripes publicly at Salem on the nex<sup>t</sup> lecture day paying also all charges of prosecution & ffes of Court standing Comitted till this sentence be performed = wch his father w<sup>m</sup> dounton vnde'took & obliged in open Court = This Court was Adjourned to y<sup>e</sup> 19 Instant & y<sup>n</sup> mett.

In Answer to the petition of m<sup>r</sup> Richard wharton m<sup>r</sup> Hezekiah Vsher John white and ~~John~~ Daniel Turell Ju<sup>n</sup> humbly desiring in their Complaint that the bond betweene them and Joseph Smith might be chancerjed The Court doe chancery thir bond of eighty pounds to sixty pounds money and in Answer ¶ to their ¶ crauing further remedy against the wrong and Injustice to them susteyned by sajd Smith & Complices with Refferenc to the Dowboy of Gold This Court do order that the sajd ¶ Ri<sup>d</sup> ¶ wharton and partne's giving one hundred and twenty pounds bond to prosecute their Complaint against the sajd Smith & Complices at the nex<sup>t</sup> County Court at Boston & so from Court to Court vntill a legall end be put therevnto, In the meane tyme execution vpon the aboue sajd Judgment shall be respitted

per Curiam Edw. Rawson secret

This aboue written orde<sup>r</sup> was published in open Court as Attests  
E. R. S.

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And the sajd m<sup>r</sup> Richard Wharton Hezekiah Vsher Daniel Turell Ju<sup>n</sup> & John white Acknowledged themselues theire heires *et* Jointly and seuerally bound in one hundred & twenty pounds to Jame<sup>s</sup> Russell Esq<sup>r</sup> Treasure<sup>r</sup> *et* and to the partjes Concerned that they shall & will performe the aboue written orde<sup>r</sup> in all respects = this donn 19<sup>th</sup> march 1684 attests

Edward Rawson secret

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\* Error of the record for "Dounton."

Att A Court of Assistan's held at Boston by the Goūno' & Compn' of the Massachusetts Bay in New England the first day of Septemb<sup>r</sup> 1685

The Grand Jury brought in their Indictments & presentments y<sup>t</sup> of Jn<sup>o</sup>than Gardiner they found him not Guilty e<sup>r</sup> the other two of Vrjah Cloemen's y<sup>t</sup> forme'ly named himsell Ball they left to trjall e<sup>r</sup>

present  
Symon Bradstreet Esq<sup>r</sup> Go<sup>d</sup>  
Tho Danforth Esq<sup>r</sup> dep<sup>t</sup> Go<sup>d</sup>  
Daniel Gookin se<sup>n</sup> Esq<sup>r</sup>  
w<sup>m</sup> Stoughton  
Nathaniel Saltonstall  
Humphry Davy  
John Richards  
Samuel Nowell  
James Russell  
Samuel Apleton  
Elisha Cooke  
w<sup>m</sup> Johnson  
Jn<sup>o</sup> Hathorne  
Elisha Hutchinson  
Samuel Seawall

Esq<sup>rs</sup>

mary Peacoke wife & Attorney to sam:  
Peacock now p<sup>r</sup>esent plaint contra w<sup>m</sup> Pen || def. || in an action of Appeale from the Judgment of the County Court in Boston. After the Attachment  
1 Ju Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Record<sup>s</sup> of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the forme' Judgmen<sup>t</sup> i e possession of the House & land sued for & Costs of Courts forty seuen shillings & eight pence

persons Returnd to  
serve on the Grand  
Jury & were sworne  
were

Cap<sup>t</sup> Jn<sup>o</sup> Holdbrooke  
Nathaniel Greene  
Abell porter  
James whetcombe  
Richd Daury  
Tho Leighton  
Caleb Hubbard  
Daniel Preston  
Jn<sup>o</sup> mayho.  
w<sup>m</sup> Goddard  
w<sup>m</sup> Bond  
Randall Nicholls  
Elijah Row  
Joshua Beale

John Norman plt Con<sup>a</sup> Benja: Orne deffend<sup>t</sup> in an Ac<sup>o</sup>n of Appeale from y<sup>e</sup> Judgment of the County Court at Ipswich After the Attachment  
1 Ju. Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendan<sup>t</sup> Confirmation of the forme' Judgmen<sup>t</sup> & Costs of Courts forty eight shillings & three pence:

Benjā Rice pl<sup>t</sup> Con<sup>a</sup> m<sup>r</sup> W<sup>m</sup> Avery deffendant in an Ac<sup>o</sup>n of Appeale from the Judgment of the Comissione's Court in Boston after the Judgment Attachment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file || w<sup>th</sup> the Records of this Court || the Jury brought in their virdict a speciall virdict y<sup>t</sup> if the [y<sup>e</sup>] plts not denying his hand in the Comissione's Court be in law æqui[u]olent || to || an owning of ~~his hand~~ || it || then wee find for y<sup>e</sup> defend<sup>t</sup> Confirmation of the forme' Judgmen<sup>t</sup> & Costs of Courts if no<sup>t</sup> then for

2 Ju

y<sup>e</sup> plaintiff reue'sion of the forme<sup>r</sup> Judgment & Costs of Courts the Bench determins for the deffendant & Granted him his Costs of Courts

W<sup>m</sup> Gilbert plaint Con<sup>ts</sup> Bartholmew Gidney Esq<sup>r</sup> Attur[ney]  
deffend<sup>t</sup> In || an || Accon of Appeale from the Judg-  
2<sup>d</sup> Jur ment of the County Court in Salem After y<sup>e</sup> Attachm<sup>t</sup>  
Courts Judg<sup>t</sup> Reason<sup>s</sup> of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file the Jury brought in their virdict they found for the plaintiff reuercon of the forme<sup>r</sup> Judgment & costs of Courts two pounds thirteen shillings & sixe pence

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persons Returnd  
to serve on y<sup>e</sup> 1<sup>st</sup>  
Jury for Appeales  
life limbe e<sup>r</sup> &  
sworne were  
— — — —

m<sup>r</sup> stephen french  
Henry Bartholmew  
Jn<sup>e</sup> fuller Lynn  
Peter Lyon  
Jn<sup>e</sup> Dauls  
Isack Brookes  
Jn<sup>e</sup> Sawin  
Phineas sprague  
steeven payne  
Jn<sup>e</sup>than Preston  
Richd stowers  
Nathaniel Thajre  
— — — —

persons Returnd  
to serve on y<sup>e</sup> 2<sup>d</sup>  
Jury for tryalls  
of Appeales for  
life limbe e<sup>r</sup>  
Sworne  
— — — —

m<sup>r</sup> w<sup>m</sup> Clarke  
Nathaniel willjams  
2<sup>d</sup> for ‡ m<sup>r</sup> Edw<sup>d</sup>  
Broomfeld  
Benja Walker  
Jn<sup>e</sup> fuller Cam. §  
Antho Sprague  
Jn<sup>e</sup> Baxter  
James Bird  
Isack Newell  
Tho fuller woo ¶  
w<sup>m</sup> Ranson

Joseph Lee plt Con<sup>ts</sup> Jn<sup>e</sup> waingright \* deffend<sup>t</sup> in an Accon of Appeale from the Judgment of the County Court at Ipswich after the Attachment Courts Judgm<sup>t</sup> reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the plaintiff 2<sup>d</sup> Ju:  
an abatement of the former Judgment fowe<sup>r</sup> pounds three shillings & sixe pence & costs of this Court wch was thirty fowe<sup>r</sup> shillings: & on his peticon the Judgm<sup>t</sup> & execution therevp<sup>o</sup> was Respitted for 3 months from y<sup>e</sup> day 8 † of Sep<sup>r</sup> 85

Benjain marshall plt Con<sup>ts</sup> Jn<sup>e</sup> Cogswell deffend<sup>t</sup> in an action of Appeale from the Judg- 1<sup>st</sup> Ju  
ment of the County Court at Salem After the Attachmen<sup>t</sup> Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffend<sup>t</sup> Confirmation of the form<sup>r</sup> Judgmen<sup>t</sup> & Costs of Courts two pounds five shillings. —

Samuel Jackljn plt Conta Thomas Parris defend-  
ant in an action of Appeal from the Judgment of the County Court in Boston After y<sup>e</sup> Attachment Courts Judgment reasons of Appeale & evidences

\* Wainwright?

† Changed from 3.

‡ Foreman.

§ Cambridge.

¶ Woburn.

in the Case produced were read Comitted  
 2<sup>d</sup> Ju: to y<sup>e</sup> Jury & are on file || w<sup>th</sup> || the Records  
 of y<sup>e</sup> Court the Jury brought in their vir-  
 dict they found for y<sup>e</sup> plaintiff reuersion of the forme<sup>r</sup>  
 Judgm<sup>t</sup> & Costs of Courts forty nine shillings — exec Issud out 7 7b<sup>r</sup>  
 for 2: 9<sup>s</sup>.

J<sup>n</sup>-than Phillips  
 J<sup>n</sup>-than Bridgham  
 instd of m<sup>r</sup> Clark  
 when [list]  
 — — — —

Samuel Gibson plaintiff in an Action of Appeale from Cambridg  
 Courts sentence After the Courts sentenc & evidences  
 in the Case produced were read Comitted to the Jury 2<sup>d</sup>  
 & are on file w<sup>th</sup> the Records of this Court the Jury brought in their  
 virdict they found for the plaintiff Reuersion of the Courts sentenc

Amo<sup>s</sup> Marret p<sup>t</sup> Con<sup>ta</sup> Ephrajm Cutter defend<sup>t</sup> in an Action of  
 Appeale from the Judgm<sup>t</sup> of the County Court at Cambridge After the  
 Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records  
 of this Court the Jury brought in their virdict i e If a person<sup>s</sup> oune  
 evidence & wounds w<sup>th</sup> other evidences that thinke they  
 heard y<sup>e</sup> pson y<sup>t</sup> is wounded Cry out be evidenc in law 1<sup>st</sup>  
 then y<sup>e</sup> Jury finds A Confirmation of the forme<sup>r</sup> Judgm<sup>t</sup> Ju  
 or sentenc If not evidenc in law then the Jury finds a reuersion: of y<sup>e</sup>  
 former sentence. The magis<sup>tr</sup> determines for y<sup>e</sup> Courts sentence —

Jn<sup>o</sup> Trayne plt Conta Samuel Barnard deffend<sup>t</sup>  
 in an action of Appeale from the Judgm<sup>t</sup> of the County  
 Court at charlsToune After the Attachm<sup>t</sup> Courts Judg-  
 ment Reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords  
 of this Court the Jury brought in their virdict they found for the plain-  
 tiff Reuision of the forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts || in all || fowe<sup>r</sup>  
 pounds fowe'teen shillings & fowe<sup>r</sup> pence

Trayne ag<sup>t</sup> Barnard  
 25 at Camb. & costs  
 vide 198 p.

Bethy Arche<sup>r</sup> wife & Attorney to hir husband Jn<sup>o</sup> Arche<sup>r</sup> c<sup>r</sup> p<sup>t</sup>  
 Conta Benja Pickmand defend<sup>t</sup> in an accon of Appeale from the County  
 Court at Salem afte<sup>r</sup> the Attachment Courts Judgmen<sup>t</sup> Reasons of  
 Appeale & evidences in the Case produced were read, objections made  
 ag<sup>t</sup> the pcesse the Court declared that there was no legall process &  
 Granted y<sup>e</sup> plaintiff hir Costs two pounds tenn shillings and fowe<sup>r</sup>  
 pence —

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Joseph Boober Conta Richard Douning deffendan<sup>t</sup>  
 2<sup>d</sup> Ju in an Accon of Appeale from the Judgment of y<sup>e</sup>  
 Boober Conta Down- County Cour<sup>t</sup> at Salem after the Attachm<sup>t</sup> Courts  
 ing Judgment Reasons of Appeale & evidences in the Case  
 produced were read Comitted to the Jury & are on file w<sup>th</sup> the records  
 of this Court the Jury brought in their virdict they found for the  
 deffendant Confirmation of the forme<sup>r</sup> Judgmen<sup>t</sup> & Costs of Courts one  
 pound nine shillings & tenn pence

Daniel Hitchins plt Conta Tho: Browne deffend<sup>t</sup>  
 2<sup>d</sup> Jur in an action of Appeale frō the Judgmen<sup>t</sup> of the County  
 Hitchins ag<sup>t</sup> Browne Court at Ipswich After the Attachment Courts Judg-  
 ment Reasons of Appeale & evidences in the Case produced were read  
 Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the  
 Jury brought in their virdict they found for y<sup>e</sup> pl<sup>tf</sup>  
 Courts order to de- ReDision of the former Judgm<sup>t</sup> & Costs of Courts three  
 teyne c<sup>r</sup> pounds five shillings & six pence The Court ordered  
 tha<sup>t</sup> execution Gon forth in y<sup>e</sup> Case being suruptiously obteyned shall  
 be respitted & Returnd to y<sup>e</sup> secre<sup>t</sup>ary on 2<sup>d</sup> day nex<sup>t</sup> & deteyned till  
 y<sup>e</sup> Courts further ord<sup>r</sup> (y<sup>e</sup> origina<sup>l</sup> Bond sen<sup>t</sup> for & Returnd =

m<sup>r</sup> Peter Sarjan<sup>t</sup> & Elisabeth his wife pl<sup>tf</sup> Conta m<sup>r</sup> Henry  
 Shrimpton || one of y<sup>e</sup> executo<sup>r</sup>s c<sup>r</sup> || deffend<sup>t</sup> In an Action of Appeale  
 from the Judgment of the County Court in Boston  
 2<sup>d</sup> Jur After the Attachm<sup>t</sup> Courts Judgment Reasons of  
 Sarjan<sup>t</sup> Conta Shrimpton. Appeale & evidences in y<sup>e</sup> Case produced were read  
 Comitted to the Jury & are Remayning on file with  
 the Reccords of this Court the Jury brought in their virdict they  
 found for the deffendant Confirmation of the forme<sup>r</sup> Judgments & Costs  
 of Courts

m<sup>r</sup> Samuel Apleton Jun<sup>o</sup> pl<sup>tf</sup> Conta Henry Roads  
 1<sup>st</sup> Jur defend<sup>t</sup> in an Action of Appeale from the Judgment  
 Apleton Conta Roads of the County Court at Salem After the Attachm<sup>t</sup>  
 1 Acti: Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences in  
 the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the  
 Records of this Court the Jury brought in their virdict i.e If y<sup>e</sup> law  
 Gives powe<sup>r</sup> to a single magistrate to trye title of land & Giue damage



|| in || an action of trespasse when both partjes clajme title then wee find for the deffendant Confirmation of the forme' Judgment & Costs of Courts If the law gives no such powe' then wee find for the plaintiff reuertion of the forme' Judgm' & Costs of Courts — the Bench determined for the plaintiff seven pounds nineteen shillings & eight pence costs

m' Samuel Apleton plt' Conta Henry Roads deffend' in an Action of Appeale frō the Judgment of the County Court at Salem after y<sup>e</sup> Attachm' Courts Judgm' Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict a speciall virdict in y<sup>e</sup> same words as aboue the bench as aboue determined for the plaintiff & gted him his Cost seuen pounds eighteen shillings & tenn pence

1<sup>st</sup> Ju:  
Apleton Con<sup>ts</sup>  
Roads

Samuel Apleton Con<sup>ts</sup> Samuel wakefeild deffend' at a County Court held at Boston from the Comissio<sup>n</sup>s in An action of Appeale after the Attachment Courts Judgmen' Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file the Jury brought in thei' virdict they found for the Deffendt Confirmation of the form' Judgm' & Costs of Courts

1<sup>st</sup> Jury

Apleton Con<sup>ts</sup>  
wakefeild

Benjamin Chamberlajn plain' Conta Nathaniell Billings deffend' in an action of Appeale from the Judgment from the County Court at Cambridg after the Attachment Courts Judgmen' Reason of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendan' Confirmation of the form' Judgment & Costs of Courts three pounds nine shillings & eight pence

Chamberlajn Conta  
wakefeild \*

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Samuel Walke' plan' Conta Roger vicke's defend' || in an Action of Appeale from the Judgment of the comissioners court || After y<sup>e</sup> Attachm' Courts Judgment reasons of Appeale & evidences in the case produced were read Comitted to y<sup>e</sup>

1 Jur. & 1. Acc<sup>ts</sup>

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\* Evidently an error of the Secretary for "Billings."

vickers ag<sup>t</sup> walke<sup>r</sup>  
as to Indent 8<sup>th</sup> D &  
31: 64 Costs

Jury & are on file w<sup>th</sup> the Records of this court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts one pound eleven shillings & six pence

Joseph vicke's plaint Con<sup>ta</sup> Samuel Walke<sup>r</sup> defend<sup>t</sup> in an Accon of Appeale from the Judgment of the Comissione's Court After the Attachm<sup>t</sup> Courts Judgment reasons of Appeale & euidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury found for the deffend<sup>t</sup> Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts one pound 9<sup>s</sup> & dam 30<sup>s</sup>

vickers Conta walke<sup>r</sup>  
for worke —

Joseph vicke's plan<sup>t</sup> Con<sup>ta</sup> Samuel walke<sup>r</sup> defend<sup>t</sup> in an action of Appeale from the Judgment of the Comission's Court after the Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & euidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> ye Records of y<sup>e</sup> Court the Jury brought in their virdict they found for the plaintiff Reuertion\* of the former Judgment & Costs of Courts thirty two shillings & fowe<sup>r</sup> pence:

Vickers Conta  
Walker

Jonathan<sup>t</sup> Hendrick plaint Conta James dauis in an Accon of Appeale from the Judgment of the County Court of Salem† After the Attachm<sup>t</sup> Cour's Judgment Reasons of Appeale & euidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court y<sup>e</sup> Jury finds for the plaintiff Reuersion of the forme<sup>r</sup> Judgment & Costs of Courts 52 : 10

2 Jury  
Hendrick ag<sup>t</sup> Dauls

filings pd.  
3: 4. 6

Thomas Bake<sup>r</sup> plaint Conta Edward Hunlocke deffend<sup>t</sup> in an Accon of Appeale from the Judgment of the County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & euidences in the Case produced were read Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Records of this Court the Jury found for the deffendant Confirmation of the forme<sup>r</sup> Judgment & Costs

Bake<sup>r</sup> ag<sup>t</sup> Hundlocks  
  
in all  
90, 04. s. exeunt:  
Issued out 9. Sep<sup>r</sup>  
(.85)

\* Written over "deffendant confirmation."

† Written over "Commissioners Court." By the papers on file it appears that the appeal was by Jotham Hendrick from the County Court at Ipswich. See Court Files No. 2338.

of Courts, two pounds fowerteen shillings & two pene the Court chan-  
ceried y<sup>e</sup> bond to ninety six pounds tenn shillings —

Robe't Pike esq' plt Conta Nathaniel winsley deffend' in an Accōn  
of Appeale from the Judgment of the County Court at Salem After y<sup>e</sup>  
Attachm't Courts Judgm't Reasons of Appeale & evidences in the Case  
produced were read Comitted to the Jury & are on file the Jury  
brought in their virdict they found for the plaintiff Reu'sion of y<sup>e</sup>  
former Judgment & Costs of Courts

Edward Richards Robe't Potter señ samuel Johnson Attu'n'ys for  
y<sup>e</sup> Towne of lynn plt conta sam: Apleton Juñ deffend' in an Accōn of  
Appeale from the Judgm't of the County Court at Salem After the At-  
tachm't Courts Judgment Reasons of Appeale from the Judgm't of the  
County Court at Salem After the Attachment Courts Judgmen't Reasons  
of Appeale \* & evidences in y<sup>e</sup> Case produced were read Comitted to  
the Jury & are on file the Jury brought in their virdict they found for  
the defend' Confirmation of the forme' Judgmen't & Costs of Courts

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Samuel Pearce pl' Contra Jn<sup>e</sup> Haward defend in  
an Accōn of Appeale from the Judgment of the Com-  
missione's Court In Boston After y<sup>e</sup> Attachm't Courts  
Judgment Reasons of Appeale & evidences in the Case produced were  
read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court  
the Jury brought in their virdict they found<sub>A</sub>

Pearse Con<sup>a</sup> Hay-  
ward

Gilbe't Cole plain' Con<sup>a</sup> Joseph Homes defend'  
in an Accōn of Appeale from the Judgment of the  
County Court in Boston. After the Attachment  
Courts Judgmen't Reasons of Appeale & evidences in  
the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the  
Records of this Cour't the Jury brought in their virdict they found for  
the defendant Confirmation of the forme' Judgment & Costs of Courts  
thirty seven shillings

Gilbert Cole Con<sup>a</sup>  
Jo. Homes damg.  
10<sup>li</sup> mony Cost 37<sup>s</sup>

Robe't Blood Juñ plt Conta samuel knight defend' in an Accōn of  
Appeale from the Judgmen't of the County Court at charlsToune After

\* Seventeen words repeated in the record.

Blood ag<sup>t</sup> Knight 20<sup>th</sup>.  
2<sup>d</sup> . 10  
Execution Issued  
out 17<sup>th</sup> Sep<sup>r</sup> 85

y<sup>e</sup> Attachment Courts Judgmen<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the defend<sup>t</sup> Confirmation of y<sup>e</sup> forme<sup>r</sup> Judgm<sup>t</sup> & Costs of Courts seventeen shillings & six pence in all damage 9<sup>l</sup>. 02 10

Mulligans sentence  
to Return to Ireland  
e<sup>r</sup> und<sup>r</sup> penalty of  
20<sup>l</sup>

Hugh mulligen plain<sup>t</sup> on Appeale from the Judgmen<sup>t</sup> or sentenc of the Countty Court in Boston After the Courts sentenc & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found a Confirmation of the County Courts sentenc & costs of Courts i e defray y<sup>e</sup> charg of Tryall:

Lilly Cont<sup>a</sup> payne

Edward Lilly plain<sup>t</sup> Cont<sup>a</sup> W<sup>m</sup> Payne Blacksmith

In An action of Appeale from the Judgmen<sup>t</sup> of the County Court in Boston After y<sup>e</sup> Attachm<sup>t</sup> Courts Judgm<sup>t</sup> Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the defendant Confirmation of the former Judgmen<sup>t</sup> & Costs of Courts nineteen shillings & 10<sup>d</sup> w<sup>ch</sup> added to y<sup>e</sup> damage [mō \*] & othe<sup>r</sup> Costs in all is twenty seven pounds fiuteen shilling<sup>s</sup> 10<sup>d</sup> money.

widdow wardell plaintiff Contra m<sup>r</sup> Symon Lynde deffend<sup>t</sup> in An

widdow wardell  
nonsuited

Action of Appeale from the Judgmen<sup>t</sup> of the County Court in Boston the plaintiff not Appearing being three times Called was non suited & the bond declared forfeited & defend<sup>t</sup> had his Costs sixe shillings

m<sup>r</sup> Anthony Stoddard plt Cont<sup>a</sup> Humphry Davy esq<sup>r</sup> deffend<sup>t</sup> in an

Stoddard ag<sup>t</sup>  
m<sup>r</sup> Davy

action of Appeale from the Judgment of the County Court in Boston After the Attachment Courts Judgmen<sup>t</sup> reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendant costs of Courts †

\* Money? The verdict at the County Court was for 25<sup>l</sup> in money and Costs of Court, 16<sup>s</sup>.

† The original verdict on file is "for the deffendant confirmation of y<sup>e</sup> former Judgmen<sup>t</sup> & Cost of Courts." See Suffolk Court Files No. 2333.

Joseph Hiller plaintiff Contra Francis Burrowes deffend<sup>t</sup> in an action of Appeale from the Judgment of the County Court in Boston after the Attachment Courts Judgment Reasons of Appeale and evidences in the case produced were read Comitted to the Jury and are on file with the Reccords of this Court the Jury brought in their virdict they found for the defendant Confirmation of the former Judgment & Costs of Courts

Hiller ag<sup>t</sup> Burrowes

Ag<sup>t</sup> p: 201 [Adj]

ordered y<sup>e</sup> secretary Issue out warrant for y<sup>e</sup> discharge of Jn<sup>n</sup>than Gardiner out of prison he paying the prison fees, y<sup>e</sup> Grand Jury no<sup>t</sup> finding y<sup>e</sup> bill

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John Saffyn plaintiff Cont<sup>a</sup> Stephen Burton deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court in Boston after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file with the Records of this Court the Jury brought in their virdict they found for the defendant Confirmation of the former Judgment & Costs of Courts two pounds two shillings —

Saffyn ag<sup>t</sup> Burton  
Costs 2<sup>l</sup> 2<sup>s</sup> 0  
memo filing vn<sup>d</sup>  
2<sup>s</sup> 6.

Henry Roads plaintiff Con<sup>a</sup> Samuel Apleton deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court in Ipswich after y<sup>e</sup> Attachmen<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the plaintiff re<sup>u</sup>sion of the form<sup>t</sup> Judgm<sup>t</sup> twelue shillings damage & Costs of Courts — forty one shillings 6<sup>s</sup>

Roads ag<sup>t</sup> Apleton

D<sup>r</sup> Phillip Read Con<sup>a</sup> michael Bacon deffend<sup>t</sup> in an Action of Appeale from the Judgment of the County Court at Cambridge after the Attachment Courts Judgment reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found for the deffendant Confirmation of the former Judgment & Costs of Courts in all thirty one shillings & fowe<sup>r</sup> penc —

Read ag<sup>t</sup> Bacon

Costs 31 . 4  
Al. 3 . 8 vn<sup>d</sup>

wharton Con<sup>ra</sup> m<sup>r</sup> Rich<sup>d</sup> wharton m<sup>r</sup> Hezekiah Vsher Daniel  
 Smith Turel Ju<sup>n</sup> & John white plt Con<sup>ra</sup> Joseph Smith  
 deffend<sup>t</sup> in an Act<sup>on</sup> of Appeale from the Judgment  
 of the County Court in Boston After the Attachment Courts Judgment  
 Reasons of Appeale & evidences in the Case produced were read Com-  
 itted to the Jury & are on file w<sup>th</sup> the Reccords of  
 on his peticon both this Court the Jury brought in their virdict they  
 executions respitted: found for y<sup>e</sup> plaintiff<sup>r</sup> reuersion of the forme<sup>r</sup> Judg-  
 10 Sep<sup>r</sup> 85 = ment & sixty pounds money damage & Costs of  
 Courts seuen pounds seuen shillings & sixe pence =

Saffyn ag<sup>t</sup> Baxter Tho Saffyn Con<sup>ra</sup> John Baxter In An Action of  
 Appeale from the Judgm<sup>t</sup> of the County Cour<sup>t</sup> In  
 Boston After the Attachm<sup>t</sup> Courts Judgmen<sup>t</sup> Reasons  
 Execution Issued out ag<sup>t</sup> Saffyn for 7. 5. 4  
 11 Sept 85 = of Appeale & evidences in the Case produced were  
 read Comitted to the Jury & are on file w<sup>th</sup> the Rec-  
 ords of this Court the Jury brought in their vir-  
 dict they found for y<sup>e</sup> plaintiff<sup>r</sup> fowe<sup>r</sup> pounds abatement of y<sup>e</sup> forme<sup>r</sup>  
 Judgment & Costs of || ys || Court thirty fowe<sup>r</sup> shillings & tenn pence —

Joseph Homes plt Conta Anthony cheeckley In An Action of  
 Appeale from the Judgment of the County Court at Boston || c<sup>r</sup> ||  
 After the Attachment Courts Judgment Reasons of  
 Home<sup>r</sup> ag<sup>t</sup> chickley Appeale & evidences in the Case produced were read  
 Comitted to the Jury & are on file with the Records of this Court the  
 Jury brought in their virdict they found for the plaintiff<sup>r</sup> reuersion of  
 the former Judgm<sup>t</sup> & Costs of Courts || y<sup>e</sup> defendt Attainted y<sup>e</sup> Jury 17  
 Sep<sup>r</sup> 85 for erro's & mistakes, gaue In his reasons || Antho checkly as  
 principall in sixty pounds & m<sup>r</sup> Richard Harris of Braintry & Jn<sup>o</sup>.  
 Keech of Boston his sue<sup>t</sup>jes in thirty pounds apeece mony acknowl-  
 edged themselues respectively bound to y<sup>e</sup> Tresu<sup>r</sup> of y<sup>e</sup> Country & party  
 Concerned y<sup>e</sup> s<sup>d</sup> Anthony cheeckly shall p<sup>ro</sup>secute his Attaint of y<sup>e</sup> Jury  
 ag<sup>t</sup> y<sup>e</sup> Jury<sup>s</sup> virdict at y<sup>e</sup> nex<sup>t</sup> court of Assistants whereof \* m<sup>r</sup> Edw<sup>d</sup>  
 Bromfeild was foreman

Attest. Edw<sup>d</sup> Rawson secre<sup>t</sup>

Richard chick plt Conta Edward doe: deffendt in an ac<sup>t</sup>i<sup>o</sup>n of  
 Appeale from the Judgm<sup>t</sup> of † y<sup>e</sup> plaintiff<sup>r</sup> Appeared no<sup>t</sup>  
 but saj<sup>d</sup> y<sup>e</sup> y<sup>e</sup> partjes were Agreed

\* So in the original.

† This space left blank in the record.

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M<sup>s</sup> Hannah Haugh plaint Conta Abraham Hill defend<sup>t</sup> in an action of Appeale from the Judgment of the [County] Court at [CharlesToune \*] as to the non suite granted ag<sup>t</sup> hir. After the Attachment Courts Judgment Reasons of Appeale & evidences produced<sup>h</sup> — the Court determined for the plaintiff & Granted hir the Costs of this Court and remitted the Case to the former Court to be heard & determined on the originall writt & former entry —

Haugh Conta Hill  
fil: 1. 6.

Costs 29<sup>s</sup>

Samuel Bernard Complayning that he is in prison vpon execution granted by this Court Against || him || to John Trayne for fowe<sup>r</sup> pounds fowe<sup>r</sup>teene & fower pence It Appearing that the Judgment amoun<sup>t</sup>s to no more than three pounds sixe & fowe<sup>r</sup> pence The Court declares the sajd execution voyd & Be<sup>r</sup>nard to be released as being falsly Imprisoned / And an execution yet lyes for Trajne for the sajd sume of three pounds six & fow<sup>r</sup> pence. — And It is ordered that the Secretary Issue out a warrant to the keeper of the prison at Cambridge to discharge the sajd Samuell Bernard his prison as on y<sup>e</sup> execution granted against him on suit of John Trayne which was donn Accordingly

Courts Judgm<sup>t</sup> to  
Releas Bernard

18 Sep<sup>r</sup> 1685

Vriah Cleomen<sup>s</sup> y<sup>t</sup> Called himself by the name of John Ball being presented by the Grand Jury & left to further Trjall was brought out of y<sup>e</sup> prison to y<sup>e</sup> Barr: was † Indicted by the name of vryah cleoments || e<sup>r</sup> || y<sup>t</sup> lately Came from England in the Pyneke Adventure John Balston master for that he not hauing the feare of God before his eyes but being Instigated by the devill did vpon the nineteenth day of July last in this present yeare 1685 being the Lords day Comit a Burglary on the dwelling house of Sarah Noyse widow in Boston entring the sajd house stole thence about ninety fue pounds in money Contrary to the peace of ou<sup>r</sup> So<sup>u</sup>daigne Lord the king the Lawes ‡ of God and of this Jurisdiction to w<sup>ch</sup> Indictmen<sup>t</sup> holding vp his hand at y<sup>e</sup> Barr he pleaded not guilty put himself on God & the Country for his Tryall & no<sup>t</sup> excepting against any of the Jury Impannel<sup>d</sup> After his Accusation by James olliuer whose mony It was y<sup>t</sup> he stole w<sup>th</sup> the evidences in the

Cleoments Indictm<sup>t</sup>  
& sentenc as to m<sup>r</sup>  
James olliuers Accu-  
sat

\* Written over "Cambridge."

† Written over "his Crowne."

‡ Written over "being."

Case produced against him were read Comitted to the Jury & are on file the Jury brought in their virdict the prisone<sup>r</sup> being at the barr they found him Guilty according to Indictment The Court proceeded to & did sentenc him being so convicted & found Guilty as aboue to be branded w<sup>th</sup> the letter B on y<sup>e</sup> forehead & haue his Right eare Cutt of discharging y<sup>e</sup> charge of y<sup>e</sup> witnesses tryall & fees & then make treble Restitution to the party Injured & in defect thereof to be

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sold to any of the English plantations —

[Blank space]

Vryah Cleoments that had falsly Called himself by y<sup>e</sup> name of John Ball being presented by the Grand Jury & left to further Tryall was brought out of the prison to the Barr & there Indicted by the name of vryah Cleoments &c that lately Came from England in the Pynke Adventure John Balston master for that he not hauing the feare of God before his eyes but being Instigated by the diuill did vpon the twelfth of July last in this p<sup>r</sup>esent yeare 1685 being the Lords day Comitt a Burglary on the dwelling house of James Pecker housewright in Boston entring the s<sup>d</sup> house stole about tenn pounds in money & some Ribbon Contra<sup>y</sup> to the peace of ou<sup>r</sup> soueraigne Lord the king his Croune and dignity the lawes of God & of this Jurisdiction To wch Indictment holding vp his hand at the Barr he pleaded not Guilty put himself for tryall on God & y<sup>e</sup> Country (not excepting against any of the Jury Impanel<sup>d</sup> = After the Indictment his Accusation by James Pecke<sup>r</sup> w<sup>th</sup> his y<sup>e</sup> sd Cleoments examination<sup>s</sup> & evidences in the Case produced against him were read Comitted to the Jury & are on file the Jury brought in their virdict they found him Guilty according to Indictment = The Court proceeded to & did sentenc him to be Againe Branded with the letter B on his forehead & haue his left eare Cutt of discharging the charge of the wittnesses & Tryall & fee<sup>s</sup> of Court & then making treble Restitution to the party Injured & on defect thereof to be sold to any of the English Plantations —

[Blank space]

W<sup>m</sup> Clapp | marriner | being Comitted to prison on suspicion of being Confederate w<sup>th</sup> vryah Cleoments alias<sup>t</sup> Jn<sup>o</sup> Ball was brought to



y<sup>e</sup> Barr & there m<sup>r</sup> James olliuer exhibbited his Complaint ag<sup>t</sup> him for being confederate w<sup>th</sup> vriah cleoments in stealing concealing & helping to spend the mony stolne by him out of m<sup>s</sup> Noyes her house as p<sup>e</sup> evidence & his oune Confession will Appeare: Jn<sup>o</sup> Channell is also complained against on the same effect signed

By James Oliver

wch Complaint being read in Court ag<sup>t</sup> sajd w<sup>m</sup> Clapp : he ans'd he was no way Guilty & desired to be trjed by y<sup>e</sup> Jury wch was granted him & After the Complaint & all the evidences & examinations & Confessions taken before y<sup>e</sup> Comissione's e<sup>r</sup> were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict they found him the sajd w<sup>m</sup> clapp Guilty according to y<sup>e</sup> Complaint John \* french foreman e<sup>r</sup> The like Complai<sup>n</sup>t was Read ag<sup>t</sup> Jn<sup>o</sup> channell & on like tryall by

Courts sentence ag<sup>t</sup>  
w<sup>m</sup> Clap & Jn<sup>o</sup> chan<sup>n</sup>  
on Compl<sup>t</sup> of m<sup>r</sup>  
James olliuer e<sup>r</sup>

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like Jury as in Clap<sup>s</sup> in all respects

The Court proceeded to sentenc them the sajd John channon & w<sup>m</sup> Clap for their offences being Convicted & stand Guilty of being Confederate w<sup>th</sup> vriah Cleomen's in stealing Concealing & helping to spend the money stolne from the sajd oliuer out of m<sup>s</sup> Noyes hir house as p<sup>e</sup> evidence & their oune Confession to pay tenn pounds a peece mony as a fine to the Countrey & be Returned to y<sup>e</sup> prison there to remajne for one month & discharging the wittnesses & tryall & fees of Court then to be dischardged = In Ans<sup>r</sup> from 17<sup>th</sup> Septemb.  
85  
to the petiçon of w<sup>m</sup> Clapp Its ordered that on his paying his fine & charges of Tryalls e<sup>r</sup> he shall be releast his Imprisonm<sup>t</sup> The like favour was granted to Jn<sup>o</sup> channell

Joseph Homes se<sup>n</sup> & Ju<sup>n</sup> principalls being bound ouer wi<sup>th</sup> sue<sup>t</sup>jes that they Appeare at y<sup>e</sup> nex<sup>t</sup> Court of Assistants to Answer what they shall be charged with for being present at the expending receiving & privy to the Concealing of any of the mony stolne out of the house of m<sup>s</sup> Noyce in Boston & abide the orde<sup>r</sup> of the Court Joseph Homes se<sup>n</sup> & Ju<sup>n</sup> were Called & appeared & it being put to them whither they would be trjed by the Bench or by ~~the~~ Jury, they each after othe<sup>r</sup> refferd themselues to the Bench =

Joseph Homes sen<sup>r</sup> was heard & was Admonished for his vncomely speech abt m<sup>r</sup> williams =

---

\* The original verdict on file is signed by "Steph. french foreman."

Jose[p]h Homes Jun<sup>d</sup> being Accused to be accessory to the Burglary & Theft Comitted at the house of m<sup>s</sup> Noyce by vryah cleoments by his after being at the expence of some of the money & receiving vntold & Concealing a part thereof vntill pursued & challenged by the own<sup>s</sup> and ~~taking a part thereof~~ || hauing referred || himself to the Court without a Jury the Cause being heard He is Adjudged to pay tenn markes as a fine to the Country, to suffer fowe-teen day<sup>s</sup> Imprisonment & pay fees of Court prosecution & prison & then be dischargd

In Ans<sup>r</sup> to y<sup>e</sup> petition of Joseph Homes Jun<sup>r</sup> It  
18. Sep<sup>r</sup> 1685: is ordered that the said Joseph Homes Jun<sup>r</sup> on pay-  
ment of his fine c<sup>r</sup> be released & dischargd — y<sup>e</sup> same fauo<sup>r</sup> was  
Granted to w<sup>m</sup> clap & Jn<sup>o</sup> channon

The Court Respitted as before the execution in  
Courts Adjourn<sup>t</sup> 18 smith ag<sup>t</sup> m<sup>r</sup> wharton c<sup>r</sup> & in m<sup>r</sup> whartons ag<sup>t</sup> m<sup>r</sup>  
Sep<sup>r</sup> 85 Smith till this Courts Adjournment] to 2<sup>d</sup> wednesday  
in octobe<sup>r</sup> nex<sup>t</sup> at one of the clock to wch time this Court was Ad-  
journed —

This Court was Adjourned to y<sup>e</sup> 14<sup>th</sup> of octobe<sup>r</sup> 85 at one of y<sup>e</sup> clock  
to w<sup>ch</sup> time y<sup>e</sup> Genl Court had binn Adjourned

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The Court mett at y<sup>e</sup> time of Its Adjourn<sup>t</sup> 14 of octobe<sup>r</sup> 1685 & so  
day by day to y<sup>e</sup> ending of the session.

m<sup>r</sup> Jn<sup>o</sup> Bisco Appeared & Complayned agains<sup>t</sup> his servant James  
farrell with John macolly servant to m<sup>r</sup> Joseph sherman that Gott into  
the cellar of \* Neue<sup>s</sup>son as in their Confession

[Blank space]

Itt is Ordered that James Pecker shall haue forthwith deliuered  
to him out of the mony that vryjah cleoments stole from m<sup>r</sup> James  
oliuer twenty fve shillings money (the sajd cleoments not only owning  
that he did steale Peckers mony but also had about fiuety shillings of  
sajd Pecke's mony in his hands and put it into m<sup>r</sup> olive's mony) and  
also that || i. e. Rob<sup>t</sup> Butcher † || the Constable that seized cleoments

\* Left blank in the record.

† Written in the margin.

two suites of cloathes hatt stockings shooes silve' Buckles Button shirt & necke clothes & handthecherfs || w<sup>th</sup> y<sup>e</sup> seven shillings y<sup>e</sup> Clap borrowed, & two shillings Channon borrowed of s<sup>d</sup> cleoments e<sup>r</sup> before m's Noy<sup>s</sup> hovse was broken up || deliuer them to sajd Pecker the sajd Pecker to pay what is Justly due to Sam Lincolne y<sup>e</sup> Taylor

In answer to the motion of Joseph Helljer\* The Court chan-  
ceried his bond to one hundred & eight pounds mony & Costs of Courts

It is ordered that John Channons fine of tenn pounds be Abated  
to sixe pounds

[The rest of the page is blank]

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Att A Court of Assistants held at Boston 2<sup>d</sup>  
of march 1685

The Grand Jury brought in their present-  
ments & Indictments & were discharged.

m<sup>r</sup> Anthony Checkley plaintiff in an Action  
of Appeale on Attaint Contra [the ] y<sup>e</sup> virdict of  
y<sup>e</sup> Jury whereof m<sup>r</sup> Edward Bromefeild was fore-  
man & ag<sup>t</sup> Joseph Homes Defendant After the  
Attachm<sup>t</sup> the || Courts Judgm<sup>t</sup> & || Jury<sup>s</sup> virdict &  
euidences in the case were read Comitted to the  
Jury and are on file the Jury brought in their  
virdict therevpon & is on file viz<sup>t</sup> they found for  
the defendant Confirmation of the former Judgment  
& Costs of Courts fower pounds eleven shillings &  
sixpence to sajd Homes

Anna Haugh plain<sup>t</sup> Con<sup>ts</sup> Abraham Hill defendan<sup>t</sup>  
|| In an Action of Appeale from the Judgmt of y<sup>e</sup>  
County Court at ~~Boston~~ || Cambridge || After the At-  
tachment Courts Judgment Reasons of Appeale &  
euidences in the Case produced were read Comitted to  
Jury & remajne on file w<sup>th</sup> the Records of this Court  
the Jury brought in their virdict therevpon they found

present  
Symon Bradstreet Esq<sup>r</sup>  
Go<sup>o</sup>  
Thomas Danforth Esq<sup>r</sup>  
dep Go.

Daniel Gookin  
w<sup>m</sup> stoughton  
Joseph dudley  
Humphry davy  
John Richards  
Sam Nowell  
James Russell  
Sam: Apleton  
Robert Pyke  
Eliha Cooke  
w<sup>m</sup> Johnson  
J<sup>n</sup> Hathorn  
Eliha Hutchinson  
Samuel seawall

Esq<sup>s</sup>

persons Returnd to  
serve on y<sup>e</sup> Grand  
Jury & sworne were

m<sup>r</sup> symon Lynde  
Rich<sup>d</sup> way  
Jabez Totman  
Henry Leadbetter  
Stephen Lincolne  
w<sup>m</sup> Torrey Ju<sup>n</sup>  
Andrew Belchar  
Joseph kettie  
Alexander marsh  
Samuel Andrewes  
J<sup>n</sup> Bright

\* See page [196]

Nath Coolidge  
James Flood  
Nath. Starnes  
— — — —

for the plaintiffe reuersion of the former virdict &  
twenty pounds mony damage & Costs of Courts three  
pounds eight shillings & 4<sup>d</sup>

George Kirbee plaintiff In An Action of Appeale from the Judg<sup>t</sup>  
of the County Court in Boston in octobe<sup>r</sup> last after the Attachmen<sup>t</sup>  
Courts Judgment Reasons of Appeale and evidences in the Case pro-  
duced were read Comitted to the Jury & are on file the Jury brought in  
their virdict therevpon they found for the defendant the Reversion \*  
of the form<sup>r</sup> virdict & Judgment & Costs of Courts one pound ten  
shillings & eight pence —

Sarah Barret Plaintiff on Appeale from the sentence of the County  
Court in Boston After the Courts sentence & evidence in the Case pro-  
duced were read Comitted to the Jury & are on file the Jury brought in  
their virdict they found Confirmation of the forme<sup>r</sup> sentence 5<sup>u</sup> fine e<sup>r</sup> †

Sarah ‡ Barret plaintiff on Appeale from the sentence of the  
County Court in Boston After the Courts sentenc & evidences in the  
Case produced were read Comitted to the Jury &  
are on file w<sup>th</sup> the Records of this Court the Jury  
brought in their virdict therevpon they found Confir-  
mati[on] of y<sup>e</sup> sentenc 5<sup>u</sup> mony e<sup>r</sup>

persons Returnd to  
serve on the Jury of  
Attaints & Appeales  
& for life limbe &  
banishmen[t]  
& sworne were

— — — —  
m<sup>r</sup> Samuel phippe  
w<sup>m</sup> Gilbert  
Isayah Toy  
Bozoune Allen  
Richard Banks  
obadiah Gill  
Cleomen Coldham  
Henry Bowen  
Sam Gore  
Jn<sup>o</sup> Tolman  
Ebenez<sup>r</sup> Billing  
w<sup>m</sup> Greene  
on the other side

m<sup>r</sup> Jonathan Corwin Administrato<sup>r</sup> to the estate  
of y<sup>e</sup> late Cap<sup>t</sup> Georg Corwin plt ¶ In an action of  
Appeale from y<sup>e</sup> Judgment of Salem Court ¶ Conta  
w<sup>m</sup> Dounton & John La[under] defendants After the  
Attachments Courts Judgment Reasons of Appeale &  
evidences in the Case produced were read Comitted to  
the Jury & are on file with the Records of this Court  
the Jury brought in their virdict therevpon & found  
for the deffendants Confirmation of the former Judg-  
men<sup>t</sup> & Costs of Courts three pounds 3<sup>d</sup> damage was 12<sup>s</sup> 4<sup>d</sup>

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Symon Gross  
Sam: Holbrooke

George Dauson plt Conta Cap<sup>t</sup> Jn<sup>o</sup> wing defendant  
In an action of Appeale from the Judgment of the

\* Written over "Confirmation."

† e<sup>r</sup> written over "& Costs."

‡ Written over "Jn<sup>o</sup>than." There were two Appeals from the County Court by Sarah Barret.

County Court at Charls Toune after the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict therevpon they found for the deffendant || confirmation of the former Judgment & || Costs of Courts —

George Dauson plt Cont<sup>a</sup> George Pite c<sup>r</sup> defend-  
ant in an Action of Appeale from the Judgment of the  
County Court at charls Toune After the Attachment  
Courts Judgment reasons of Appeale & evidences in  
the Case produced were read Comitted to the Jury &  
are on file w<sup>th</sup> the Reccords of this Court the Jury  
brought in their virdict they found for the deffendant  
Costs of Courts

Abraham Holman c<sup>r</sup> Plaintiff Cont<sup>a</sup> nathaniel  
Hancock & Jn<sup>o</sup> Goue defend<sup>r</sup> in an Action of Appeale  
from the Judgment of the County Court at charls-  
Toune After the Attachmen<sup>t</sup> Courts Judgment reasons  
of Appeale & evidences in the Case produced were  
read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the  
Jury brought in their virdict they found for the plaintiff reuertion of  
the forme<sup>r</sup> Judgment & Costs of Courts.

Whereas In the Case betweene Cambridge Selectmen plt & y<sup>e</sup>  
drum<sup>e</sup>s of the Toune defendants a testimony hath binn read in this  
Court signed & sworne by Jerremiah Holman & Abraham Holman wch  
doth appeare to this Court to be very rash & presumptuous & to the  
Drume's prejudice in their Case, if false, This Court doeth refer \* the  
examination thereof vnto the County Court of middlesex & to give  
Judgment therein as they shall see Cause

w<sup>m</sup> Marshall plt Cont<sup>a</sup> W<sup>m</sup> marbell deffendant In  
an action of Appeale from the Judgment of the County  
Court at charls Toune After the Attachment Courts  
Judgment reasons of Appeale & evidences in the case  
produced were read Comitted to the Jury & are on file  
w<sup>th</sup> the reccords of this Court the Jury brought in their  
virdict they found for the ~~plaintiff~~ || defendant || Confirmation of the

Sam. kettle  
Joseph Cro[s]by  
Tho. Olliner  
noah wisewall  
Joseph Mason  
w<sup>m</sup> shaddock  
Ebenezer flegg  
natha: Bullard  
James foule  
francis Burrell  
persons Returned to  
serve on y<sup>e</sup> 1<sup>st</sup> Jury  
for Appales life c<sup>r</sup>  
sworne—  
m<sup>r</sup> Sam Phipps  
I[s]ayah Toy  
Eliab Banks  
francis Burrell  
Henry Bowen  
Jn<sup>o</sup> Tolman  
w<sup>m</sup> Greene  
Sam Holbrooke  
Joseph Crosby  
noah wisewall  
w<sup>m</sup> Shaddock  
natha Bullard  
w<sup>m</sup> Gibson instead  
of Toy in 3 or 4  
Act[ions]  
— — — —

w<sup>m</sup> marshall Conta  
w<sup>m</sup> marble g de-  
fend: 10, 10 dam &  
costs 2-9 mem:  
5 ent  
2-4 ff

\* Written over "doe therefore."

former Judgment i e sixteen pounds ten shillings damag mony & Costs of Courts forty nine shilling<sup>a</sup>

marshall Con<sup>ra</sup> Soley  
g Soley 33<sup>u</sup>. da.  
mony & 57<sup>s</sup> costs  
sl. 2:4 post ent 10.

w<sup>m</sup> marshall plt Contra Sarah Soley widdow  
defend<sup>t</sup> In an acti[on] of Appeale from the Judgment  
of the County Court at charlsToune After the Attach-  
ment Courts Judgment reasons of Appeale & evidences  
in the Case produced were read Comitted to the Jury & are on file the  
Jury brought in their virdict they found for the defendant Confirmation  
of the forme<sup>r</sup> Judgment i e thirty three pounds || mony || & fifty  
seuen shillings Costs

marshall con<sup>ra</sup> moor  
g moore 55<sup>u</sup> mony  
& Costs of  
Courts 2 = 13. 6  
Add entry  
[&] filing 2  
57. 15. 6

w<sup>m</sup> marshall plaint Con<sup>ra</sup> Enoch moore defend<sup>t</sup>  
in an Action of Appeale from the Judgment of the  
County Court at charlsToune After the Attachmen<sup>t</sup>  
Courts Judgment reasons of Appeale & evidences in  
the Case produced were read Comitted to the Jury  
and are on file w<sup>th</sup> the Reccords of this Court the  
Jury brought in their virdict they found for the deffendant Confirmation  
of the former Judgment i e fuety fue pounds mony & Costs of  
Courts fuety three shillings & sixpenc.

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Gates Conta Jn<sup>o</sup>  
foskett

Symon Gates Gates \* Plaintiff In An Ac<sup>ti</sup>on of  
Appeale from the Judgment of the County Court at  
Cambridge || contra Jn<sup>o</sup> foskett || After the Attach-  
ment Courts Judgment Reasons of Appeal & evidences in the Case  
produced were read Comitted to the Jury & are on file with the records  
of this Court the Jury brought in their virdict they found for the  
plaintiff re<sup>co</sup>n<sup>fi</sup>rmation of the forme<sup>r</sup> Judgmen<sup>t</sup>s & Costs of Courts fuety one  
shilling<sup>s</sup> & sixe pence =

Homes Con<sup>ra</sup>  
Olluer

Joseph Homes Ju<sup>d</sup> plaintiff Conta Nathaniel  
Olluer defend<sup>t</sup> In Action of Appeale from the Judg-  
ment of the County Court in Boston octobe<sup>r</sup> last After  
the Attachment Courts Judgment Reasons of Appeale & evidences in  
the Case produced were read Comitted the Jury & are on file with the  
Records of this Court the Jury brought in their virdict they found for

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\* Repeated in the record.

the plaintiff\* Confirmation of the former Judgment & Costs of Courts  
w<sup>th</sup> was ten shillings & sixe pence c<sup>r</sup> & acknowledgd p<sup>d</sup> =

Daniel Turell Turell † Jun<sup>r</sup> Attorney to Nicho:  
Inglesby plt Con<sup>a</sup> Joseph ‡ Cowell Attorney to w<sup>m</sup> Turell conta Jn<sup>r</sup>  
Shaddock § deffndt In An Action of Appeale from Cowell  
the Judgment of the Commissione's Court in Boston After the Attach-  
ment Courts Judgment Reasons of Appeale & evidences in the Case  
produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords  
of this Court the Jury brought in their virdict they found for the  
deffendant Confirmation of the forme' Judgm<sup>t</sup> & Costs of Cour<sup>t</sup> nine-  
teen shillings —

Nathaniel Bullard & John Herse plt. Con<sup>a</sup> County  
Courts sentenc or determination as to y<sup>e</sup> probat of y<sup>e</sup> Bullard Conta Rich-  
will of ¶ Richards After the Courts Judg- ards  
ment & setlement & othe' evidences in the Case produced were Read  
The Bench declared they Confirmed the forme' Judgment of the County  
Court in Boston & gaue the defendants Costs three pounds one shilling  
& tenn pence :

michael Bacon plt Con<sup>a</sup> Daniel [Maguinis] de-  
ffendant In an Action of Appeale from the Judgment Bacon Conta mack-  
of the County Court at Cambridge in octobe' last [quinis] filings to  
After the Attachment Courts Judgment Reasons of pay  
Appeale & evidences in the Case produced were read Comitted to the  
Jury & are on file w<sup>th</sup> the Records of this Court the Jury brought in  
their virdict they found for the plaintiff Reuersion of the former Judg-  
ment & Costs of Courts thirty sixe shillings & 8<sup>d</sup>

Rowland Coxe plaintiff Cont<sup>a</sup> Daniel Hiskett  
defend' in an action of Appeale from the Judgment Cox Conta : Hiskett  
of the County Court in octobe' last after the Attachment Courts Judg-  
ment reasons of Appeale & evidences in the Case produced were Read  
Comitted to y<sup>e</sup> Jury & are on file w<sup>th</sup> the Records of  
this Court y<sup>e</sup> Jury brought in their virdict they found filing to pay

\* Error of the record for "defendant"? † Repeated in the record. ‡ Written over "Jnr."  
§ In the papers in the case on file this name is "William Haddock." See Court Files  
Suffolk, No. 2386.

¶ This space left blank in the record. By the papers on file it appears the name was Edward  
Richards. See Court Files Suffolk No. 2370.

for the defend<sup>t</sup> Confirmation of the former Judgm<sup>t</sup> & Costs of Courts nineteen shilling & 6<sup>d</sup>

Norden Cont<sup>a</sup> Scot- Samuel Norden plaintiff Cont<sup>a</sup> Cap<sup>t</sup> Joshua Scot-  
tow defend<sup>t</sup> in an Action of Appeale from the Judgm<sup>t</sup>  
of the Comissione's Court in Boston After the At-  
tachment Courts Judgment Reasons of Appeale & evidences in the  
Case produced were Read Comitted to the Jury & are on file w<sup>th</sup> the  
Records of this Court the Jury brought in their virdict they found for  
the defend<sup>t</sup> Confirmation of y<sup>e</sup> form<sup>r</sup> Judgm<sup>t</sup> tenn pounds mony damage  
& Costs of Court[s] twenty seven shillings & 8<sup>d</sup>

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Patteshall ag<sup>t</sup> Hes- Richard patteshall plaintiff Cont<sup>a</sup> Steven Heskett  
kett defend<sup>t</sup> in an action of Appeale from the Judgment of  
the County Court in Boston c<sup>r</sup> After the Attachment  
Courts Judgment Reasons of Appeale & evidences in the Case produced  
were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this  
Court the Jury brought in their virdict they found for y<sup>e</sup> defendant  
Costs of Courts ninten \* || shill || & nine pence

Harrison = W<sup>m</sup> Harrison plaintiff Contra the Courts sentenc  
wch being read & the evidences in the Case produced  
were read Comitted to the Jury & are on file w<sup>th</sup> the Records of this  
Court the Jury brought in their virdict they found the sajd Harrison  
Guilty of breach of y<sup>e</sup> peace —

Hundloeke Contra Edward Hunlorek || p his lawfull Attorney || p<sup>t</sup>  
Blayne & Hubbard Cont<sup>a</sup> m<sup>r</sup> Jn<sup>e</sup> Hubbard merchant & John Blajne of y<sup>e</sup>  
Island of Je'sy marriner or eithe<sup>r</sup> of them defend's  
after the || Attachm<sup>t</sup> Courts Judgment & evidences in the Case produced  
w<sup>th</sup> y<sup>e</sup> Reasons were read Comitted to the Jury & are on file with the  
reccords of this Court the Bench declar'd they Confirmed the fforme<sup>r</sup>  
Courts Judgm<sup>t</sup> & Costs of Courts = †

Greene Cont<sup>a</sup> Courts Joseph Greene plaint Cont<sup>a</sup> ye County Court of  
sent Boston<sup>a</sup> sentence in octo<sup>b</sup> last After the Courts sentence  
Reasons of Appeale & evidences in the Case produced

\* Written over "eleven."

† See p. [206] where this record is more fully entered.



were Read the plaintiff haueing his case to be trjed in open Court put it on this Issue y<sup>t</sup> he denyes y<sup>t</sup> he was not in the Toune at the time all wch put to the Jury they brought in their virdict they found Joseph Greene no<sup>t</sup> Guilty —

m<sup>r</sup> Richd wharton m<sup>r</sup> Hezekiah Vsher Daniel  
Turell Jun<sup>r</sup> Blacksmith & John white Joyne<sup>r</sup> plaintiffs m<sup>r</sup> wharton & c<sup>o</sup> pl<sup>ts</sup>  
Conta Joseph Smith  
ag<sup>t</sup> Joseph Smith deffend<sup>t</sup> in an Action of Appeale  
from the Judgment of the County Court in Boston defend<sup>t</sup> After the  
Attachm<sup>t</sup> Courts Judgment Reasons of Appeale & evidences in the Case  
produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords  
of this Court the Jury brought in their virdict they found for the  
deffendant Confirmation of the form<sup>r</sup> Judgment & Costs of Courts

The plaintiff<sup>s</sup> in open Court sajd they Atteinted the Jury whereof  
Bozoone Allen was foreman & gaue in their reasons w<sup>ch</sup> are on file And  
sajd m<sup>r</sup> Richard wharton m<sup>r</sup> Hezekiah vsher Daniel  
Turell Jun<sup>r</sup> & John white Joyner came & Joyntly & bond for gaeccution  
seuerally acknowledged themselues respectively bound in one hundred  
& seventy pounds money to the 'Treasure' of the Country for the time  
being and party<sup>s</sup> concerned that hauing Attainted the Jury whereof m<sup>r</sup>  
Bozounne Allen was foreman for error only in the Case betweene them  
& Joseph Smith on the Condition that they will prosecute their Attaint  
at the nex<sup>t</sup> Court of Assistants to effect as Attests

Edw<sup>d</sup> Rawson secre<sup>t</sup>

[206]

1685

Samuel Nowell Esq<sup>r</sup> plaint Conta Gyles Goddard  
deffendant in an Action of Appeale from the Judgment m<sup>r</sup> Nowell ag<sup>t</sup> Gyles  
Goddard  
of the County Court in Boston octobe<sup>r</sup> last. ¶ Giles  
Godard being 3 times Called no<sup>t</sup> Appearing his bond was deo<sup>l<sup>d</sup></sup> for-  
feited\* ¶ After the Attachment Courts Judgment Reasons of Appeale &  
evidences in the Case produced were read Comitted to the Jury & are  
on file w<sup>th</sup> the Records of this Court the Jury brought in their virdict  
they found the defendant Guilty of defrauding sajd Nowell and  
betraying his trust in not deliuering vp three trunks which were  
Comitted to his trust and Care in wch were sundry Rich & choyce Goods  
of diuers sorts and also Gold & Siluer for all wch doe finde for the  
plaintiff one hundred & twenty pounds damag in mony & Costs of  
Courts

\* Written in the margin.

Francis Stepney plaintiff In an action of Appeale  
 sent from the sentenc & Judgment of the County Court\*  
 in Boston January last After the Courts sentenc  
 Reasons of Appeale & evidences in the Case were read (the plaintiff  
 being sick & not Appearing at y<sup>e</sup> Court when Called & also y<sup>e</sup> like  
 Called at y<sup>e</sup> Courts Adjournm<sup>t</sup> 26 of march 86 Cirtifficat being Given of  
 his Illnes & his surty<sup>s</sup> for psecution pr[ess]ing that they may be dis-  
 chardged refusing to stand further bound nor willing to proceed, the  
 Court declared the suertjes were dischardged & that the Judgment of  
 the County Court ag<sup>t</sup> s<sup>d</sup> stepney to stand good against him

In Ans<sup>r</sup> to y<sup>e</sup> motion or petiçõn of m<sup>r</sup> Anthony  
 checkley It was voted that his fine of tenn pounds to  
 the Country in the Case of Attaint shall be respitted  
 till the end of the nex<sup>t</sup> sessions of y<sup>e</sup> Gene<sup>ll</sup> Court  
 past E R S

m<sup>s</sup> Margaret Hundlock wife & Attorney to m<sup>r</sup>  
 Edward Hundlock plaint Conta m<sup>r</sup> Jn<sup>o</sup> Hubbard &  
 John Belajne deffend<sup>r</sup> in an Action of Appeale from  
 the Judgmen<sup>t</sup> of the County Court as to a nonsuit  
 after the Attachment Courts Judgment Reasons of Appeale & evidences  
 in the Case produced were read Comitted to - ¶ c<sup>r</sup> ¶ The magis<sup>tr</sup> Con-  
 firmed the former Judgm<sup>t</sup> of the County Court at Boston & Costs of  
 Courts = †

James morgan being Indicted by the name of  
 James Morgan of Boston for not hauing the feare of  
 God before his eyes being Instigated by the diuill ffor that he not hau-  
 ing the feare of God before his eyes † on the tenth day of december last  
 in the house of constante worcester widdow in Boston did about ten of the  
 clocke that night wickedly maliciously & feloniously wound kill & murder

[207]

1685

Joseph Johnson Butcher of said Boston Butcher § by running a spitt  
 into his belly a litle aboue the navell of which wound about three  
 dayes after the said Johnson djed as in & by the evidences more fully

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\* Written over "Court of Assistants."

† See above p. [206]. There was only one case at the County Court.

‡ Repeated in the record.

§ Repeated in the record.

may Appeare Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the king his Croune and Dignity the lawe of God & of this Jurisdiction being at the Barr & holding vp his hand whiles Indicted pleaded not Guilty Referd himself for trjall to God & y<sup>e</sup> Country hauig his optunity to object against any of the Jury wch he saw no Cause to doe only ag<sup>t</sup> one Isayah Toy y<sup>t</sup> had binn of y<sup>e</sup> Jury of Inquest Ebenezar Billing was sett in his roome after the Jury had perused the evidences, brought in their virdict they found the prisoner at the barr guilty according to Indictment he was Remanded unto prison & being thenc brought to the barr y<sup>e</sup> Go<sup>u</sup>no<sup>r</sup> Askt him what he had to say why sentenc of Death should not be pronounc ag<sup>t</sup> yow = The Go<sup>u</sup>no<sup>r</sup> proceeded saying yow James morgan for the murther yow haue Comitted are to Goe henc to y<sup>e</sup> place whence yow Came & from thence to the Gallowes & there be hand by y<sup>e</sup> neck till yow be dead & y<sup>e</sup> Lord haue mercy on you<sup>r</sup> soule

The secretary was ordered to Issue out his warrant to the marshall Generall to take a sufficient guard w<sup>th</sup> him on the 11<sup>th</sup> Instant presently after y<sup>e</sup> lecture & see execution of this sentence e<sup>r</sup> w<sup>ch</sup> was donn Accordingly

Mary fflood the wife of Henry fflood of Boston in the County of Suffolke in New England Cordwayner was Indicted by the name of mary fflood for that shee no<sup>t</sup> hauing the feare of God before hir eyes & being Instigated by the diuill on the 28<sup>th</sup> day of february last early in the morning did wickedly maliciously & feloniously kill and murder thy youngest daughter of about thirteene weekes old by giving it seuerall stroakes of thy ffist Contrary to the peace of our Soueraigne Lord the king his Croune & Dignitje the lawes of God and of this Jurisdiction holding vp hir hand at the Barr & pleaded not guilty saying she would be trjed by God & the Country hauing optunity to object ag<sup>t</sup> any of the Jury wch she sajd shee had none. = the Case & evidences given in ag<sup>t</sup> the prisoner at the barr was read Comitted to the Jury who after Consideration thereof they brought in their virdict they found the prisone<sup>r</sup> at the barr no<sup>t</sup> Guilty according to Indictment

[208]

1685

Joseph Indian of martjns vineyard, by the name of Joseph Indean for that he not hauing the feare of God before their\* eyes and being instigated by the divill on the 12<sup>th</sup> or 13<sup>th</sup> of february last did wickedly maliciously & felloniously kill & murder his squaw or wife (she being

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\* So in the record.

at the watchhouse on the necke in Boston at nine of the clocke at night well and that he after that time drew her the said squaw on the ground to the lyme house a considerable distance and left hir there with seuerall mortall wounds on hir head whereof on the 15<sup>th</sup> of said february early in the morning <sup>^</sup> was found dead contrary to the peace of ou' Soueraigne Lord the king his Croune and Dignity the laue<sup>s</sup> of God & of this Jurisdiction the said Indian holding vp his hand at the barr pleaded to this Indictment not guilty saying he would be trjed by God and the Country : there being a Jury of one halfe English & the other halfe Indians had his libe<sup>ty</sup> to object any <sup>^</sup> them being Called one by one but making no objection the evidences being Read y<sup>t</sup> were produced ag<sup>t</sup> him & Comitted to y they brought in their virdict thereupon they found him not Guilty according to Indictment but found him Guilty of vnnaturalenes and barbarous Cruelty towards his wife. = So was Remanded to prison Againe & thenc brought to the barr where & when the honno<sup>rb</sup> Go<sup>u</sup>no<sup>r</sup> said howeuer Joseph Indean yow are cleered by the Jury, yet they found yow Guilty of cruelty to you<sup>r</sup> wife The Court senten<sup>a</sup> yow to be seuerely whip<sup>t</sup> with thirty stripes and also pay forty shillings mony for y<sup>e</sup> psecution and that within a weeke or be sold by the Treasurer out of this Country to any of his maj<sup>t</sup>jes plantations discharging you<sup>r</sup> prison ffes =

4 march 85. E R S

Andrew Pittymee Indian Interpreter was sworne In Court truely to Interpret what the Court declare<sup>s</sup> to him and also what the prisone<sup>r</sup> at the Barr Answe<sup>s</sup> are to the Court =

This Court Adjourned by the Go<sup>u</sup>no<sup>r</sup> *e*r to the 26<sup>th</sup> of Instant march the Court mett at the time 26 march 1686

[209]

1686

present  
Symon Bradstreet  
Esq<sup>r</sup> Go<sup>u</sup>  
Tho Danforth Esq<sup>r</sup>  
dep<sup>t</sup> Go<sup>u</sup>  
Daniel Gookin  
w<sup>m</sup> Stoughton  
Joseph dudley  
Humphry Dauy  
Jn<sup>o</sup> Richards  
James Russell  
w<sup>m</sup> Johnson  
Jn<sup>o</sup> Hathorne  
Samuel Sewall  
— — — —

Att An Adjournment of the Court of Assistants  
|| & Co[uncil] || held at Boston the 26<sup>th</sup> of march 1686.

Jn<sup>o</sup> Luggier clarke of his maj<sup>t</sup>jes Custome<sup>s</sup> by his bill of Information Given into this Court declares that the ship Elisabeth of Boston whereof Thomas Bos-singe<sup>r</sup> was master lately Imported certeine forreigne Comoddtje viz<sup>t</sup> wine Brandy *e*r without due entry<sup>s</sup> & cleering from England Contrary to the act of y<sup>e</sup> flue-teenth of Charles the second *e*r for which said ship ljes vnde<sup>r</sup> seizure humbly desiring that the |s<sup>d</sup> || ship

& Appurtenances in all respects may receive tryall & Condemnation according to that law This Case by Consent of said partjes Came to tryall And after the Cour<sup>t</sup> had duely pervsed & heard the wittnesses did Judge the said ship Elisabeth with hir tackle & Appurtenances to hir belonging to be forfeited to his Maj<sup>ty</sup> and according to the aboue recited law did passe sentence of Condemnation on hir accordingly

m<sup>r</sup> Richard wharton & m<sup>r</sup> Daniel Allen of Boston merchants by their libell exhibbited to the Court & Attachment therevpon dated 12<sup>th</sup> march 8<sup>th</sup> plaint<sup>es</sup> Conta w<sup>m</sup> marshall Enock more Sarah Soley widdow  
 C<sup>r</sup> = After the libell & Attachment & sumons were read<sub>A</sub>

[Blank space.]

Att this Court Information was Given in as followeth the Hon- no<sup>ble</sup> Gove<sup>no</sup>r and magis<sup>tr</sup> lately Assembled in the County Court at Boston doe Informe the Council now Assembled that m<sup>r</sup> Samuell shrimpton being sumoned to Attend said Court in a Civill Case in a Proud & contemptuous manner declared himself that there was no Go<sup>u</sup>no<sup>r</sup> & Company of which the Go<sup>u</sup> had a Certificat or Citation & therefore he would make no Answer to the sumons Giuen him for his Appearance & Added therevnto seuerall reviling words = The Cour<sup>t</sup> ordered the marshall to goe & tell m<sup>r</sup> shrimpton that the Cour<sup>t</sup> would speake w<sup>th</sup> him, w<sup>ch</sup> he did & returnd he was not at home Gonn to Nodles Island & said he had left Information & that they said they would send to him but he not Coming the Court Adjourned to the nex<sup>t</sup> fifth day at three of the clocke & ordered the Secretary to lett m<sup>r</sup> shrimpton know y<sup>t</sup> at the time he should attend the Court p<sup>r</sup>sently after the lecture = & warrant Issued out to y<sup>e</sup> marshall Ge<sup>n</sup>ll for y<sup>t</sup> end 27 of sd march & is on file

1<sup>st</sup> of aprill 1686 y<sup>e</sup> Court mett at the time

y<sup>e</sup> marshall Generall Returnd his warrant as to m<sup>r</sup> shrimpton who Appeared & gaue in his ¶ paper & ¶ Answer and was = I did say there is no Gouverno<sup>r</sup> and Company of this place in being that the Go<sup>u</sup>no<sup>r</sup> had a signification of the dissolution of the charter of this Colony And that I was not willing to submitt to lawes made since that day, And wha<sup>t</sup> I said to the Go<sup>u</sup>n<sup>r</sup> as to wrong donn I then explained to be only in reference

present the Go<sup>u</sup>no<sup>r</sup>  
 dep<sup>t</sup> Go<sup>u</sup>no<sup>r</sup>  
 w<sup>m</sup> stoughton  
 Joseph dudley  
 J<sup>n</sup> Richards  
 James Russell  
 Ellaha Cooke  
 w<sup>m</sup> Johnson  
 Ellaha Hutchinson  
 Samuel Seawall =  
 — — — —

to an Arbitration wherein his Honno<sup>r</sup> was one & w<sup>th</sup>out any reflection w<sup>th</sup> respect to any Judiciall Act and if any heat then expressed it was occasioned by my being called after two or three theives And as I app<sup>h</sup>ended at m<sup>r</sup> sargeants chojce the Go<sup>o</sup>no<sup>r</sup> Asking him if he would then haue his Cause called saying there was but a thin Court no<sup>r</sup> w<sup>th</sup> standing the five senior magists of the Court were present \*

[210]

1686

The Court of Assistants & Council Adjourned to the 15 of saj<sup>d</sup> Aprill at three of the clock in the Afternoone †

present  
Symon Bradstreet Esq<sup>r</sup> Go<sup>o</sup>  
Tho Danforth Esq<sup>r</sup> dep<sup>t</sup> Go<sup>o</sup>  
Daniel Gookin  
William stoughton  
x Joseph dudley †  
Humphry Davy  
J<sup>n</sup> Richards  
James Russell  
x Sam Apleton †  
Robert Pyke  
Elisha Cooke  
W<sup>m</sup> Johnson  
Elisha Hutchinson  
Samuell Seawall

persons Returnd to  
serve on y<sup>e</sup> Grand  
Jury 17 Aprill 86 &  
sworn were =  
Cap<sup>t</sup> Pen Townsend  
2 James Hill  
3 Tho Jenner  
4 W<sup>m</sup> Foster  
5 J<sup>n</sup> watson  
[6] Sam Champney  
7 Sam W<sup>m</sup> se<sup>n</sup>  
8 Rich<sup>d</sup> Hall  
9 Clem<sup>t</sup> maxfelid  
[10] J<sup>n</sup> Richards  
11 [James §] Townsend  
Joseph Child. =  
person<sup>s</sup> Returnd to  
serve on the Jury of  
Tryalls: were —  
m<sup>r</sup> Edw<sup>d</sup> willey  
J<sup>n</sup> Atwood  
J<sup>n</sup> moore

Att A Court of Assistants or Admiralty held  
at Boston on the 15<sup>th</sup> of April 1686

The Court mett at the time and at the request  
of m<sup>r</sup> willjam woodrope of the Island of St Chris-  
tophers now Resident in Boston A Court of Admi-  
ralty is granted him against m<sup>r</sup> John Keech of  
Boston in the County of Suffolk merchant And  
also Against m<sup>r</sup> Timothy Thorneto[n] of the saj<sup>d</sup>  
Boston in New England & County <sup>^</sup> merchant de-  
fendants e<sup>r</sup> to be held at saj<sup>d</sup> Boston on the 22<sup>th</sup>  
of Instant Aprill at three of the clock in the  
Afternoone = he the saj<sup>d</sup> woodrope giving in his  
libell & Caution seasonably to the secretary which he  
saj<sup>d</sup> woodrope did the next day being the 16<sup>th</sup> Instant  
as certified at the bottome of saj<sup>d</sup> libell may Appeare

At this Adjournm<sup>t</sup> m<sup>r</sup> Samuel Shrimpton Ap-  
peared in Court<sup>^</sup> an Information wch is on file & was  
Read which when he had heard saj<sup>d</sup> he denjed all  
that was therein and saj<sup>d</sup> he had the last time Given  
in his Answer in writting the seuen se<sup>o</sup>ll evidences  
sumoned appeard all but ¶ & Gaue in their  
evidence<sup>s</sup> wch were read & sworne to bef[o]re him &  
are on file: he saj<sup>d</sup> he would be trjed by a Jury =  
which the Court Granted him & ordered the secretary  
to Issue out his warrants to the seuerall Tounes for a  
Grand Jury & Jury of tryalls wch was donn in vsuall

\* This record appears to have been crowded into a blank space left at the bottom of the page.

† This paragraph is written at the upper left-hand corner of the page.

‡ See below, record of April 17, 1686. § Written over "Joseph." ¶ Blank space in the record.

form & are on file = And ordered m<sup>r</sup> Shrimpton to Giue fue hundred pounds bond then on the 17<sup>th</sup> Instant to Appeare & Answer what shall be then lajd to his charge & both Court & Council Adjourned to 17<sup>th</sup> Instant at 8 of the clocke in the morning.

Ephraim Sari  
Nathan Cary  
Edw<sup>d</sup> Wilson  
francis moore  
Dani Champney  
Samuel Clap  
w<sup>m</sup> Ryall  
Ebenazar white  
Sam: Jennison

17<sup>th</sup> of Aprill 1686 The Court mett at y<sup>t</sup> time, the Go<sup>u</sup>no<sup>r</sup> & magistrates the same as Aboue except 2 w<sup>th</sup> y<sup>s</sup> X : \* warrant Issued out on y<sup>s</sup> date to y<sup>e</sup> m<sup>r</sup>shall Gen[erall]

The Grand Jury brought in their Indictment. —

Wee the Grand Jury for our soueraigne Lord the king in the Massachusets Colony doe present & Indict m<sup>r</sup> Samuell Shrimpton of Boston merchant for y<sup>t</sup> he at the County Court sitting in Boston on the 22<sup>th</sup> of march last in a contemptuous violent & seditious manner & w<sup>th</sup> a loud voyce did in open Court say that he was brought there by m<sup>r</sup> Sargants order & not by y<sup>e</sup> Courts & that he denyed any such thing in being as Gouverno<sup>r</sup> & Company of this Colony and that he stood there to Justify it & denyed their power, and they might send him to prison if they pleased wch words in the same manner he repeated ~~again~~ ouer || & ouer againe w<sup>th</sup> diuers other seditious words & expressions as by the evidences will & may Appeare thereby defaiming the Generall Court & sajd County Court & caused such a tumult in the Court as evidently tended to the high breach of his Maj<sup>t</sup>jes Gouvernment heere & all this Contrary to the peace of ou<sup>r</sup> Soueraigne Lord the king his Croune & Dignitje & the laues of God & of this Jurisdiction & particullarly the law title Courts Sect 6: wee find this bill & leaue it to further Tryall

Penn Tounsend foreman In the name of the rest of the Jury

It is ordered the secretary Issue out his warrant to the marshall Generall Jn<sup>o</sup> Green to Attach the person of m<sup>r</sup> Samuel Shrimpton & that he Giue his bond w<sup>th</sup> suertjes in a thousand pounds to Appeare

[211]

1686

before the Court on 5<sup>th</sup> day next at two of the clock to which time the Court is Adjourned & on his refusall to give bond accordingly to Comitt him to prison till the time of the Adjournment = m<sup>r</sup> shrimpton Appeared not = †

\* See above in the margin of record of April 15, 1686.

† See note on next page.

The Court of Assistants is Adjourn'd till y<sup>e</sup> 22 Instant at two of y<sup>e</sup> clock \*

Att an Adjournment of the Court of Assistants || or Admiralty || held at Boston 22<sup>th</sup> of Aprill 1686

present y<sup>e</sup> Go<sup>vt</sup>nor  
The Danforth Esq<sup>r</sup> dep<sup>t</sup>  
Go<sup>vt</sup>

Dani: Gookin  
w<sup>m</sup> stoughton  
|| Joseph dudley ||  
Humphry Davy  
James Richards  
|| Samuel Nowell ||  
James Russell  
Robert Pike  
Elisha Cooke  
w<sup>m</sup> Johnson  
Elisha Hutchinson  
Samuel Seawall

Esq<sup>s</sup>

Jury men Returned  
to serve at this Court  
of Assistan<sup>ts</sup> or Ad-  
miralty & sworne  
were

m<sup>r</sup> Edward willey  
J<sup>n</sup> Atwood  
J<sup>n</sup> moore  
Ephraim Seril  
Nathan Cary  
Edward Wilson  
Francis moore  
Daniel Champney  
Samuel Clap  
w<sup>m</sup> Ryall  
Eben<sup>er</sup> white  
Samuel Jennison

The libell presented to this Court by m<sup>r</sup> willjam woodrope of the Island of St Xtophers now Resident in Boston & ouno<sup>r</sup> of the sloop the Brothers Adventure together w<sup>th</sup> the Attachment bearing date the 16<sup>th</sup> Instant thereby Complayning against Jn<sup>o</sup> keech of said Boston in the County of Suffolke in New England merchant for that he the said keech by his Attachment bearing date the first day of october last 1685 did Attach his said sloop Brothers Adventure to the County Court held at Cambridge the 6<sup>th</sup> day of said octobe<sup>r</sup> vnder pretence of a debt due to him from the estate of Sa[nct]jillo Heynes of said Island of St Xtophe's & there recovered a Judgment & execution therevpon & thereby deteyning the same vessell as in his said libell more fully & largely is expressed to his the said woodropes great damage The Court on perversall & on due Consideration of the evidences & pleas in the Case made & produced by both partjes w<sup>th</sup> the virdict of the Jury there vpon doe Adjudge declare & decree that the said sloop brothers Adventure with all hir tackling Apparrell & furniture to hir belonging as deliuered by said Execution to said keech be in all respects deliued vp to the said w<sup>m</sup> woodrope, as also that the said Keech pay vnto him the said woodrope the sume of twelue pounds ten shillings mony damage & fueteen pounds money as Costs of Court in all twenty seuen pounds tenn shillings money. =

The lybell of m<sup>r</sup> w<sup>m</sup> woodrope of the Island of St Xtophe's now Resident in Boston in the County of Suffolke in New England & ouno<sup>r</sup> of the sloop brothers Adventure together with the Attachment bearing date the 16<sup>th</sup> day of this Instant Aprill thereby Complayning against m<sup>r</sup> Tymothy Thornton of said Boston in the County aforesajd merchant

\* The last two paragraphs appear to be crowded into the blank spaces at the bottom of p. [210] and at the top of p. [211].



ffor that he the sajð Thornton by his Attachment bearing date the first day of octobe<sup>r</sup> last 1685 did Attach his sajð sloop Brothe's Adventure to the County Court held at Cambridge the 6<sup>th</sup> of sajð october vnder pretence of a debt due to him from the estate of sa[nct]illo \* Heynes of sajð Island of St Xtophe's & there recouered a Judgment & execution therevpon and thereby deteyning the sajð vessell as in his sajð Lybell more ffully & largely is expressed to his the sajð woodropes great damage The Court on perversall & due Consideration of the evidences & pleas in the Case made & produced by both partjes with the virdict of the Jury therevpon doe Adjudge declare & decree that the sajð sloop brothe's Adventure with all hir tackling Apparrell & furniture to hir belonging as deliuered by execution to sajð Thornton be in all respects deliuered vp to the sajð w<sup>m</sup> woodrope, as also that he the sajð Thornton pay vnto him the sajð woodrope the sume of twelue pounds tenn shillings money damage & fiuteene pounds money as Costs of Court in all twenty seven pounds tenn shillings mony : both the aboue & this decree past by the Court of Assistants or Admiralty As aforesajð

Attests

Edward Rawson Secret

[212]

1686

The marshall Generall made returne of his warrant relating to m<sup>r</sup> Samuel shrimpton w<sup>ch</sup> is on file the Indictment was Read

m<sup>r</sup> Samuel shrimpton Appeared at this Courts Adjournm<sup>t</sup> as on the other side & exprest himself that he had many objections against the legality of the Indictment

*[The rest of this page and pages [213], [214], and [215] are blank in the original.]*

*[From here to page [238] inclusive the record is in the handwriting of Isaac Addington.]*

[216]

Grand jury Sworn.  
Bernard Trott  
fforeman  
Moses Paine

At a Court of Assistants for the Colony of the Massachusetts Bay, held at Boston the 24<sup>th</sup>. of Decemb<sup>r</sup>. 1689. continued upon Adjournm<sup>t</sup>. from the 3<sup>d</sup>.

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\* Or Samvillo.

Thomas Harwood  
Arthur Mason  
John Marion Senr.  
John Capen  
Isaac Jones  
Robert Pierpont  
William Garey  
Sam<sup>l</sup>. Stone senr.  
Rich<sup>d</sup> Danle  
Richard Lowden  
Henry Spring  
— — — —  
Jury of Tryals  
sworn.  
Elizur Holyoke  
Foreman/.

Edward Thomas  
Jacob Melyne  
Isaia Tay  
Joseph Griggs  
Sam<sup>l</sup>. Craft  
James Bird  
Joseph Weekes  
Sam<sup>l</sup>. Hasting  
Edw<sup>d</sup>. Winchip  
W<sup>m</sup>. Welsted senr.  
Benj<sup>s</sup>. Garfield.  
— — — —

Jury of Tryals  
sworn./  
L<sup>a</sup>. Jonath<sup>a</sup>. Rem-  
ington Foreman./  
Nath<sup>l</sup>. Thayer  
Samuel Lillie  
Thomas Downe  
W<sup>m</sup>. Griggs  
John Ruggels senr.

[217]

John Watson  
Joseph Leeds  
Hopestill Humphry  
John Simpson  
Daniel Warren  
John Bond

of September 1689./ Anno R.R:<sup>s</sup> et Reginae Gulielmi  
et Mariae nunc Angliæ 6<sup>ra</sup>. 11<sup>mo</sup>.

Present.

Thomas Danforth Esq<sup>r</sup>. Deputy Govern<sup>r</sup>.

John Richards	} Esq <sup>rs</sup> .	Nathan <sup>l</sup> . Saltonstal	} Esq <sup>rs</sup> .
Samuel Appelton		James Russell	
William Johnson		Elisha Cooke	
Samuel Sewall		Elisha Hutchinson	
John Phillips		John Smith —	
Jeremiah Swayne			

Gibson Fawer P<sup>t</sup>. } on Appeale from the Judgem<sup>t</sup>. of  
vers<sup>a</sup>. } the County Court for Suffolke  
George Cable Def. } holden at Boston 30<sup>th</sup>. July. 1689./  
where he brought his suite against the said George  
Cable for || deteining in his possession & refusing to  
give the || P<sup>t</sup>. Possession of a House Shop Ware-  
house and Garden in Boston on the North side of  
the drawbridge, And Judgement was given against  
him for costs of Court. Both party<sup>s</sup>  
appeared by their Attourney<sup>s</sup>. and

1 Jury

joyned issue The Jury brought in their Verdict and found for the  
Appellant, y<sup>e</sup> Reversion of the former Judgement & the Possession of  
the House, Shop, warehouse and Garden sued for and costs of Courts ;  
allowed Forty two shillings and two pence./ Execution issued 31<sup>o</sup>.  
Decemb<sup>r</sup>. 1689./

John Usher Esq<sup>r</sup>. P<sup>t</sup>. } on Appeale from the Judge-  
Vers<sup>a</sup>. } ment of the County Court for  
John Frizell Def. } Suffolke holden at Boston 30<sup>th</sup>.  
July 1689. Both party's by their Attourny<sup>s</sup>. joyned  
issue. The Jury brought in their Verdict.  
1. Jury They found for the Defend<sup>t</sup>. Confirma-  
tion of the former Judgement being Twenty pounds  
five shillings & eight pence money and cost of Courts

allowed<sup>a</sup>

There being shown forth an Order from his Majesty  
in Councill of the 26<sup>th</sup>. of September ult. Com<sup>mand</sup>ing  
the Magistrates at Boston in New-England & others  
whome it may concern to take notice of his Royal will

and pleasure that the Appell<sup>t</sup>. John Usher Esq<sup>r</sup>. be not molested in his person or Estate upon the acco<sup>t</sup>. of his being Treasurer & Receiver General of his Ma<sup>ty</sup>. Revenue in New-England until his Ma<sup>ty</sup>. pleasure be be further known<sub>A</sub>

Jotham Grover of Boston Brasier Pl. }  
vers<sup>us</sup>. } on appeale  
Thomas Bulkley of Boston Merch<sup>t</sup>. Def<sup>t</sup>. }

from the Judgement of the County Court for Suffolke holden at Boston the 30<sup>th</sup>. of July. 1689. The partys joyned issue The Jury brought in their Verdict, They found for the Def<sup>t</sup>. Confirmation of the former Judgement being seven pounds thirteen Shillings nine pence in money and cost of Courts

2 Jury

Samuel Massey late Prison keeper of Boston Pl<sup>t</sup> }  
vers<sup>us</sup>. } on appeale from the  
William Robie of Boston Merch<sup>t</sup> Def<sup>t</sup> } Judgement of the  
County Court for Suffolke holden at Boston the 30<sup>th</sup>.  
July. 1689. The party<sup>s</sup>. appeared and joyned issue,  
The Jury brought in the Verdict. They found for the Defend<sup>t</sup>.  
Confirmation of the former Judgement being Ten pounds in money  
|| damage || and costs of Courts

2 Jury.

Hugh Stone of Andover Husbandman being Indicted by the Juro<sup>es</sup>. for our Sovereign Lord and Lady the King and Queen, upon their oath's, for that the said Hugh Stone upon the twentyeth day of April. 1689. at Andover afores<sup>d</sup>. *et*. did feloniously kill and murder Hannah his wife, contrary to the peace of o<sup>r</sup>. Sovereign Lord and Lady the King and Queen their Crown and dignity, the Law's of God and this Colony. —

Upon which Indictment the aforesaid Hugh Stone being arraigned, Pleased Guilty, and was remanded back to Prison./

25<sup>th</sup>. Decembr.

26<sup>th</sup> Decembr / the afores<sup>d</sup>. Hugh Stone being brought to the Barr, The Court did Award that for the felony and murder aforesaid by him the said Hugh Stone committed as aforesaid, of which he hath confess himselfe guilty sentence of death be pronounced against him  
— which

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was accordingly done by Thomas Danforth Esq<sup>r</sup>. Deputy Governo<sup>r</sup>. That is to say, That he the afores<sup>d</sup>. Hugh Stone be carried back to the

place from whence he came and from thence to the place of Execution there to be hanged untill he be dead. — And Ordered that John Green Marshall Generall take care and see that this Sentence be duely executed upon the said Hugh Stone on Thursday y<sup>e</sup>. second of January next; And that the Secretary (being thereto appointed by Law) signe a warrant for the same./.

Hannah Hutchinson wife of Samuel Hutchinson  
26<sup>th</sup>. 10<sup>th</sup>/. of Andover being Indicted by the Juro<sup>rs</sup>. for our Sovereign Lord and Lady the King and Queen upon their Oath's, For that the said Hannah Hutchinson at Andover afores<sup>d</sup>. before the felony and murder comitted by Hugh Stone of Andover afores<sup>d</sup>. upon Hannah his late wife, That is to say, upon the nineteenth daye of April. 1689. the same Hutchinson at Andover afores<sup>d</sup>. unto the ffelony and murder afores<sup>d</sup>. comitted by the said Hugh Stone as afores<sup>d</sup>. him the said Hugh Stone did feloniously and maliciously excite abett and procure e<sup>r</sup>. prout in the Indictment [&] Upon which Indictment the said Hannah Hutchinson being arraigned, pleaded not guilty and put her selfe upon Tryal by God and the Country. The first Jury of Tryals were called whereof m<sup>r</sup> Elizur Holioke is Foreman, and the Prisoner makeing no challenge against any of them, They were Sworn for her Tryal, and past upon her. The Jury brought in their Verdict, That is to say, That they do not find Hannah Hutchinson Guilty of the crime whereof she hath been Indicted. — The Court Ordered that the said Hannah Hutchinson be discharged upon her paying of ffees & charges.

Robin Negro Servant of Andrew Gardner of  
26<sup>th</sup>. 10<sup>th</sup>/. Muddy River being Indicted by the Juro<sup>rs</sup>. for our Sovereign Lord and Lady the King and Queen, upon their Oaths, For that the said Robin Negro at Muddy River afores<sup>d</sup>. upon the second day of August. 1689. did slay and kill John Cheeny of Cambridge, giveing him a mortall wound on the head with a stick, of which wound the said John Cheeny languished and on the sixth day of the said month of August dyed e<sup>r</sup> prout in the Indictment. Upon which Indictment the said Robin negro being arraigned pleaded not guilty and put himselfe upon Tryal

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by God and the Country. The first Jury of Tryalls whereof m<sup>r</sup> Elizur Holyoke is fforeman were called, and all appeared and answered save Edward Thomas, in whose roome Nathan<sup>l</sup>. Thayer was put on, and the

prisoner makeing no challenge against any of them, they were sworn for his Tryal, and past upon him; The Jury brought in their Verdict That is to say, They find Robin Negro guilty of manslaughter.

m<sup>r</sup> Edward Thomas One of the Juro<sup>m</sup> summoned for the Tryals at this Court, makeing default in appearance when called (at the Impaneling of a Jury to pass upon Robin the Negro) was fined five shillings./

The Court Adjourned unto Tuesday the seventh day of January next at nine in the morning./

Anno R: R<sup>o</sup>. et Regi<sup>n</sup>e Gulielmi et Mariæ ꝑ<sup>m</sup>. Tuesday the seventh of January. 1689.

The Court met by Adjournm<sup>t</sup>. and sat de die in diem (Except the Sabbath) untill the seventeenth of y<sup>e</sup> same month.

Holden by Thomas Danforth Esq<sup>r</sup> Deputy Governo<sup>r</sup>.

James Russell	} Esq <sup>r</sup>	John Richards—	} Esq <sup>r</sup>
Samuel Appelton		William Johnson—	
John Hathorne		Elisha Hutchinson	
Samuel Sewall		John Phillips —	
John Smith		Jeremiah Swayne.	

Grand jury Sworn.  
m<sup>r</sup>. Bernard Trott  
Foreman  
Moses Paine  
Tho: Harwood  
Arthur Mason  
John Marion Senr:  
John Capen  
Isaac Jones  
Robt. Pierpont  
William Garey  
Rich<sup>d</sup> Lowden  
Henry Spring  
John Alden Senr.  
Rich<sup>d</sup>. Buckley  
Samuel Lynde  
Ephraim [S]ale

8<sup>o</sup>. Jan<sup>ry</sup>.

Several Bills of Indictment against divers pris-  
on<sup>m</sup>. for piracy and murder were comitted to the  
Grand jury./

9<sup>th</sup>. the Grand jury brought in their bills of In-  
dictment & were dismiss untill munday the 13<sup>th</sup> instant  
at one oclock./

9<sup>o</sup>. Thomas Hawkins of Boston marrin<sup>r</sup> being  
presented & Indicted by the Jurors for our Sovereign Lord and  
Lady the King and Queen upon their Oath's, viz<sup>t</sup> that the s<sup>d</sup>  
Thomas Hawkins upon ffriday the ninth day of August, 1689.  
upon the high seas that is to say, about three Leagues from halfe  
way Rock in y<sup>e</sup>. massachusetts Bay upon the Katch Mary of Salem  
Hellen Chard master and upon the said Master and men being  
= in

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Jury of Tryals  
sworn.  
Elizur Holyoke  
Foreman  
Jacob Melyne  
Isaia Tay  
Joseph Griggs  
Samuel Craft  
James Bird  
Sam<sup>l</sup>. Hasting  
Joseph Weekes  
Edw<sup>d</sup>. Winchip  
W<sup>m</sup>. Welstead Senr.  
Benj<sup>n</sup>. Garfield.  
Tho: Downe  
- - - - -

in number about five of their Maj<sup>ties</sup>. Liege people, then and there in the King and Queens peace and about their lawfull Employments being, with force and Armes an assault did make and as a Felon and Pirate with guns and Swords did Enter and the said Katch with all her appur<sup>ces</sup>. and Lading of ffish being the value of sixty pounds of the goods and chattels of their Ma<sup>ties</sup>. Liege people from the said Master feloniously and piratically tooke and carryed away contrary to the peace of our Sovereign Lord and Lady the King and Queen their Crown and dignity and the Laws and Statutes in that behalfe made and pro-

vided. The aforesaid Thomas Hawkins being arraigned at the Barr upon the said Indictment pleaded not guilty and put himselfe upon Tryal by God and the Country. A Jury was ca'd and Sworn to pass upon him (Elizur Holyoke being foreman of said Jury, the Evidences, were sworn and the case comitted. The Jury gave in their Verdict, V<sup>t</sup>. They find Thomas Hawkins Guilty of the Piracy whereof he hath been Indicted. The Court Adjudgeth the said Thomas Hawkins to have

17<sup>th</sup> Jan<sup>y</sup>,

the Sentence of death passed upon him (which was accordingly pronounced against him by the Deputy Gov-

erno<sup>r</sup>.) That is to say, That he said Thomas Hawkins be returned to the place from whence he came and from thence be carryed to the

23<sup>d</sup>.

place of Execution and there be hanged by the neck untill he be dead. The Court likewise Ordered that

John Green Marshall Generall cause this Sentence to be Executed upon the said Thomas Hawkins on Munday the Twenty Seventh of this Instant January, And that the Secretary (being thereto by Law appointed) signe warrant for the same./

John Newhall tertius of Lynn yeoman and Thomas Witt of the same place yeoman being presented and Indicted by the Jurors for our sovereign Lord and Lady the King and Queen upon their Oath's That is to say, That the said John Newhall tertius and Thomas Witt upon the fifteenth day of Novembe<sup>r</sup>. 1688. in the s<sup>d</sup>. Town of Lynn at the House of Theophilus Baily, not haveing the fear of God before their Eyes, but being led by the instigation of the devil of their malice forethought upon the body of Ralph King jun<sup>r</sup>. of Lynn afores<sup>d</sup>. with force and Arms a violent assault did make and with their hands Feet

and Knees did strike kick, stamp and crush the said Ralph King jun<sup>r</sup>. thereby giving him many grievous and mortall wounds and bruises of which wounds and bruises he did grievously Languish untill the 22<sup>th</sup> day of the said November and then of the afores<sup>d</sup>. mortall wounds and bruises dyed. And so the said John Newhall tertius and

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Thomas Witt of their malice forethought the said Ralph King junio<sup>r</sup>. in manner and forme afores<sup>d</sup>. did feloniously kill and murther contrary to the peace of our Sovereign Lord and Lady the King and Queen their Crown and dignity the Laws of God and this Colony. The afores<sup>d</sup> John Newhall tertius and Thomas Witt being brought to the Barr and severally arraigned upon the afores<sup>d</sup>. Indictment, thereto severally pleaded not guilty and put themselves upon Tryal by God and the Country The Jury was ca<sup>l</sup>d, (m<sup>r</sup>. Elizur Holyoke fforeman) and sworn to pass upon their Tryal, the Evidences were sworn and the case comitted. The Jury gave in their Verdict upon Each of them severally. V<sup>t</sup>. The Jury find John Newhall tertius guilty of manslaughter. The Jury find Thomas Witt Guilty as an accessory of manslaughter. Ordered that the said John Newhall Tertius pay two third parts of the charges of prosecution amounting to the summe of Thirty six pounds nineteen shillings and ffour pence; That the said Thomas Witt pay one third part of the charges of prosecution amounting to the summe of Eighteen pounds nine shillings and Eight pence, the whole being ffifty ffive pounds nine shillings. And that they pay their Prison charges and fees of Court and remain in custody untill this order be performed.

Thomas Pound of Boston marriner being Indicted by the Jurors for our Sovereign Lord and Lady the King and Queen upon their Oath's by three severall bills of Indictment, as follow<sup>th</sup>. That is to say. 1<sup>st</sup>. That he s<sup>d</sup> Thomas Pound upon || friday || the ninth day of August 1689 on the high sea's || vz<sup>t</sup> || about three Leagues from halfe way Rock in the Massachusetts Bay, upon the Katch Mary of Salem Hellen Chard master and upon the s<sup>d</sup>. master and men with force and Armes an Assault did make And as a Felon and pirate w<sup>th</sup>. swords and Guns did enter, and the s<sup>d</sup>. Katch w<sup>th</sup> her appur<sup>ances</sup>. and Lading of Fish being the value of sixty pounds of the goods and Chattels of their Majesties Liege people from the said Master feloniously tooke and carryed away C<sup>rs</sup>. 2<sup>d</sup>. Also that he said Thomas Pound upon the twenty seventh day of August. 1689. on the high sea's Vz<sup>t</sup>. in martyns vineyard Sound, upon

the Briganteen merrimack of Newbury John Kent master an Assault did make and with force and Armes the said Briganteen did Enter and out of the said Briganteen of the goods and Chattels of their Majesties Liege People to the value of fforty pounds feloniously & piratically from

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from the s<sup>d</sup>. John Kent did take and carry away. *et*. prout in y<sup>e</sup> Indictm<sup>t</sup>. 3<sup>d</sup>. Indictm<sup>t</sup>. That the said Thomas Pound on the fourth day of October 1689. upon the high sea's That is to say, in Martyns Vineyard Sound upon the sloop Mary of Boston then sayling under their Ma<sup>ties</sup>. Colours and upon the Comander namely Samuel Pease and Company, then and there upon their Ma<sup>ties</sup>. Service, said Pound being under a Red flagg which he in defiance of their ma<sup>ties</sup>. Authority purposely put up at the head of the mast, with force and Armes an Assault did make and with Bulletts which he out of small Gun's feloniously shott the body of the said Samuel Pease in severall places did strike and mortally wound, of which mortall wounds the said Samuel Pease did grievously languish untill the twelfth day of the said October and then of the said mortall wounds dyed. And so the said Thomas Pound of

Jury of Tryals  
Sworn.  
Elizur Holyoke  
Foreman.  
Isaia Tay  
Joseph Griggs  
Samuel Craft  
James Bird  
Joseph Weekes  
Samuel Hasting  
Edward Winchip  
W<sup>m</sup>. Welstead Sen<sup>r</sup>.  
Benj<sup>s</sup>. Garfield  
Thomas Downe  
Nath<sup>l</sup>. Thayer.  
— — — —

his malice forethought on the day aforesaid the said Samuel Pease in manner and forme afores<sup>d</sup>. did feloniously kill and murther contrary to the peace of our sovereign Lord and Lady the King and Queen, their Crown and dignity, the laws of God and this Colony, —. The said Thomas Pound, being arraigned at the Barr upon Each of said Indictments severally, confes't himselfe guilty of the charge laid in his Second Indictment as afores<sup>d</sup>. relating to the Briganteen Merimack John Kent Master, unto the other two Indictments pleaded not guilty and put himselfe on Tryal by God and the Country. The Jury were called and

Sworn, who upon a full hearing of the Evidences sworn on behalfe of their ma<sup>ties</sup>. and what was said by the prison<sup>r</sup>. in his defence, brought in their Verdicts and found the s<sup>d</sup>. Thomas Pound guilty of the Felony

17<sup>th</sup>. Jan<sup>y</sup>.

and piracy whereof he hath been Indicted; And also guilty of the felony and murder whereof he hath been Indicted. The Court adjudged the said Thomas Pound to have the sentence of death pronounced against him (which was accordingly declar<sup>d</sup>. by the Deputy Govern<sup>r</sup>.) That is to say, That he said Thomas Pound be returned to the place from whence he came and from thence



be carryed to the place of Execution and there be hanged by the neck untill he be dead. /

234. The Court likewise ordered that John Green marshall Generall cause this sentence to be executed upon the s<sup>d</sup>. Thomas pound — on Munday the twenty seventh of this instant January and that the secretary (being thereto by Law appointed, <sup>^</sup> signe warrant for the same.

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130 Thomas Johnston of Boston Marrin<sup>r</sup> Indicted by the Jurors for o<sup>r</sup>. Sovereign Lord and Lady the King and Queen upon their Oath's by three severall Indictments.

1<sup>st</sup> Indictm<sup>t</sup>. That the said Thomas Johnston upon the ninth day of August 1689 on the high Sea's that is to say, about three Leagues from halfe way Rock in the Massachusetts Bay upon the Katch Mary of Salem Hellen Chard master and upon the said master and men with force and Armes an Assault did make and as a Felon and Pirate with swords and Gun's did Enter and the said Katch with her appur<sup>tes</sup>. and Lading of Fish being the value of Sixty pounds of the goods & Chattels of their ma<sup>ties</sup>. Liege people from the said master feloniously did take and carry away  $\text{£}$ <sup>s</sup>. prout in the Indictm<sup>t</sup>. 2<sup>d</sup> Indictm<sup>t</sup>. That the said Thomas Johnston on the twenty seventh day of August 1689, upon the high seas That is to say, in martyns Vineyard Sound upon the Briganteen merrimack of Newbury John Kent master an Assault did make and with ff<sup>or</sup>ce and Armes did Enter and as a Felon and Pirate of the goods and Chattels of their ma<sup>ties</sup>. Leige People of the value of Forty pounds from the said master did feloniously take and carry away  $\text{£}$ <sup>s</sup>. prout in the Indictm<sup>t</sup>. 3<sup>d</sup>. Indictm<sup>t</sup>. That the said Thomas Johnston on the fourth day of October. 1689. on the high sea's, That is to say in martyns vineyard Sound upon the Sloop Mary of Boston then sayleing under their ma<sup>ties</sup>. Colours and upon the Commander namely Samuel Pease and Company then and there upon their ma<sup>ties</sup>. Service, said Johnston being under a Red ff<sup>lag</sup>g which in defiance of their ma<sup>ties</sup>. Authority was purposly put up at the head of the mast with force and Armes an assault did make and with bullets out of small Gun's which he feloniously shot, the body of the said Samuel Pease in severall places did strike and mortally wound, of which mortall wounds the said Samuel Pease did greivously Languish untill the twelfth day of the said October and then of the said Mortal wounds dyed and so the said Thomas Johns[t]on of his malice forethought on the day aforesaid in manner

and forme afores<sup>d</sup>. did feloniously kill & murther, contrary to the peace of our Sovereign Lord and Lady the King and Queen their Crown and dignity, the Laws of God and of this Colony. The said Thomas Johnston was arraigned upon Each of said Indictments Severally and thereto pleaded not guilty and put himselfe upon Tryal by God and the Country. The Jury were called and Sworn

y<sup>e</sup> former Jury.  
Elliz<sup>r</sup>. Holyoke  
Foreman c<sup>r</sup>. onely  
Nath<sup>s</sup>. Thayer  
taken off and Ja-  
cob Melyne put on  
in his Roomes.

who upon a full hearing of the evidences sworn on behalfe of their mat<sup>ies</sup>. and the defence made by the Prisoner, brought in their Verdicts and found the said Thomas Johnston guilty of the severall piracys whereof he stood Indict<sup>d</sup>. As also guilty of the Felony and Murder whereof he stood Indicted as afores<sup>d</sup>. The Court adjudged the said Thomas Johnston

17<sup>th</sup> day

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to have the Sentance of death pronounced against || him || (which was accordingly pronounced by the Deputy Govern<sup>r</sup>.) That is to say, That he said Thomas Johnston be returned to the place from whence he came & from thence be carryed to the place of Execution and there be hanged by the neck untill he be dead. The Court likewise ordered that John Green marshall Generall cause the afores<sup>d</sup>. sentance to be executed upon the afores<sup>d</sup>. Thomas Johnston on Munday the twenty seventh of January instant, And that the secretary (being thereto appointed by Law) signe warrant for the same. /

13<sup>th</sup>

Eleazer Buck marrin<sup>r</sup>. Indicted by the Jurors for our Sovereign Lord and Lady the King and Queen upon their Oath's by three severall Indictm<sup>ts</sup> viz<sup>t</sup>. That the said Eleazer Buck upon ffriday the ninth of August 1689 on the high sea's That is to say, about three Leagues from halfe way Rock in the Massachusetts Bay upon the Katch Mary of Salem Hellen Chard master and upon the s<sup>d</sup>. master and men their Majesties Liege People with force and Armes an Assault did make and as a Felon and Pirate with Guns and Swords did enter and the s<sup>d</sup>. Katch with all her appur<sup>ances</sup>. and Ladeing of Fish being the value of sixty pounds of the goods and chattels of their Ma<sup>ties</sup>. Liege people tooke & carryed away c<sup>r</sup>. And that the said Eleazer Buck upon the twenty seventh day of August. 1689. on the high Sea's That is to say in Martin's Vineyard Sound upon the Briganteen merrimack of Newbury John Kent master an assault did make and with force and Armes did Enter and out of the said Briganteen of the goods and Chattels of their Majesties Liege People of the value of

fforty pounds from the said John Kent feloniously and piratically did take and carry away *et*.

And that the said Eleazer Buck upon the fourth day of Octobr. 1689 on the high sea's that is to say, in Martins Vineyard Sound, being under a Red Flagg in defiance of their ma<sup>ties</sup>. Authority purposely put up at the head of the mast, upon the sloop Mary of Boston then sayleing under their ma<sup>ties</sup>. Colours and upon the Comander namely Samuel Pease and Company then & there upon their ma<sup>ties</sup>. service being, with force & armes an Assault did make *et*. and of his malice forethought the said Samuel Pease did feloniously kill and murder, contrary to the peace of our Sovereign Lord and Lady the King and Queen their Crowne & dignity the Laws of God and of this Colony. The said Eleazer Buck was arraigned upon Each of said Indictments severally and to the first relating to the Katch Mary of Salem, pleaded guilty, unto the other two Indictments pleaded not guilty and

Jury of Tryals  
Sworn.  
m<sup>r</sup> Jon<sup>s</sup>. Remington  
Foreman  
Nath<sup>s</sup>. Thayer  
Sam<sup>l</sup>, Lillie.  
w<sup>m</sup> Griggs.  
John Ruggles Senr.  
John Watson  
Joseph Leeds  
Hopestill Humfrey  
John Simpson  
Daniel Warren  
Richard Way.  
John White./

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put himselfe on Tryal by God and the Country. A Jury was cal'd and Sworn, Who upon a full hearing of the Evidences sworn on behalfe of their ma<sup>ties</sup>. and the defence made by the prisoner, brought in their verdicts and found the said Eleazer Buck Guilty of the Felony and piracy whereof he stands indicted. As also Guilty of the Felony and murder whereof he stands Indicted. The Court adjudged the said Eleazer Buck to have the sentance of death pronounced against him (which was accordingly pronounced by the Deputy Governo<sup>r</sup>.) That is to say, That the said Eleazer Buck be returned to the place from whence he came and from thence be carried to the place of Execution, and there be hanged by the neck untill he be dead. The Court likewise Ordered that John Green marshall Generall cause the afores<sup>d</sup>. sentance to be Executed upon the said Eleazer Buck, on munday the twenty seventh of this instant January. And that the secretary (being thereto appointed by Law) Signe warrant for the same.

17<sup>th</sup> day

23<sup>th</sup>. day

John Sickterdam, being Indicted by the Jurors for our Sovereign Lord and Lady the King and Queen upon their Oath's, for feloniously and piratically takeing and carrying away the Katch Mary of Salem Hellen Chard ma<sup>r</sup>. with appur<sup>tes</sup>. and Ladeing of Fish being the value

of sixty pounds of the goods and Chattels of their ma<sup>ties</sup>. Leige People, upon the ninth day of August. 1689. on the high sea's viz<sup>t</sup>. about three League's from halfeway Rock in the Massachusetts Bay. Ɖ<sup>r</sup>. And that the said John Sickterdam upon the twenty seventy day of August. 1689. on the high sea's viz<sup>t</sup>. in Martyns Vineyard Sound, upon the Briganteen Merrimack of Newbury John Kent Master an assault did make and with force and Armes did Enter and out of the said Briganteen of the goods and Chattels of their Ma<sup>ties</sup>. Liege people of the value of Forty pounds from the said John Kent feloniously and piratically did take and carry away Ɖ<sup>r</sup>.

Also that the said John Sickterdam upon the fourth day of Octob<sup>r</sup>. 1689. on the high Sea's, that is to Say, in martyns vineyard Sound being under a Red flagg in defiance of their ma<sup>ties</sup>. Authority purposely put up at the head of the mast, upon the sloop Mary of Boston then Sayling under their M<sup>asties</sup>. Colours, and upon the Comand<sup>r</sup>. namely Samuel Pease then and there upon their ma<sup>ties</sup>. Service being, with force and Armes an assault did make Ɖ<sup>r</sup>. and of his malice forethought the said Samuel Pease did feloniously kill and murder, contrary to the peace of our Sovereign Lord and Lady the King and Queen their Crown and dignity, the Law's of God and of this Colony. Upon which aforesaid three Indictments the s<sup>d</sup>. John Sickterdam being arraigned

The Jury of w<sup>ch</sup>.  
Ellsūr Holyoke is  
Foreman

severally, thereto pleaded not guilty and put himselfe upon Tryal by God and the Country. The Jury

was

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was called and sworn, who upon a full hearing of the Evidences sworn on behalfe of their ma<sup>ties</sup> and the defence made by the Prisoner, The Jury brought in their Verdicts. That is to say, To the first Indictm<sup>t</sup>. about the Katch Mary, The Jury found the said John Sickterdam guilty of the Felony and piracy whereof he stood Indicted. To the second Indictm<sup>t</sup>. relating to the Briganteen Merrimack The Jury found the said John Sickterdam guilty of the Felony and piracy whereof he stood Indicted. To the third Indictm<sup>t</sup>. relating to the killing and murdering of Cap<sup>m</sup>. Sam<sup>l</sup>. Pease, The Jury found said John Sickterdam guilty of the Felony and murder whereof he stands Indicted. The Court Adjudged the said John Sickterdam to have the sentence of death pronounced against him (which was accordingly pronounced by the Deputy Govern<sup>r</sup>.) That is to say, that he said John Sickterdam be returned to the place from whence he

17<sup>th</sup>. day

came and from thence be carried to the place of Execution and there be hanged by the neck untill he be dead.

William Dun being Indicted by the Juro<sup>rs</sup>. for  
 our Sovereign Lord and Lady the King and Queen 14<sup>th</sup>.  
 upon their Oath's, That is to say, That the said William Dun upon the  
 27<sup>th</sup>. day of August. 1689. on the high sea's that is to say in martyn's  
 vineyard Sound, upon the Briganteen Merrimack of newbury John  
 Kent master and his Company an assault did make and with force and  
 Armes the said Briganteen did Enter and out of the said Briganteen  
 of the goods and Chattels of their ma<sup>ties</sup>. Liege people to the value of  
 Forty pounds feloniously and piratically did take and carry away,  
 contrary to the peace of our Sovereign Lord and Lady the King &  
 Queen their Crown and dignity *et*. Upon which Indictment he was  
 arraigned put himselfe upon Tryal and was acquitt<sup>d</sup>. by the Jury.

William Dun being Indicted and arraigned upon two severall  
 Bills found against him by the Grand jury, That is to say, That the  
 said William Dun upon Friday the ninth of August. 1689. upon the  
 high Seas (that is to say) about three Leagues from halfway Rock in  
 the Massachusetts Bay, then & there upon the Katch Mary of  
 Salem Hellen Chard master and upon the said master and men  
*et*. with force and Armes an Assault did make and as a Felon  
 and Pirate ~~did~~ with Guns and Swords did enter *et*. and the s<sup>d</sup>.  
 Katch with all her appur<sup>tes</sup>. and Lading of Fish being of the value  
 of sixty pounds of the goods and Chattels of their Ma<sup>ties</sup>. Liege  
 people

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did feloniously take and carry away contrary to the peace of our Sov-  
 ereign Lord and Lady the King and Queen their Crown and dignity  
 and the Law *et*/. The other Bill or Indictm<sup>t</sup>. That the said William  
 Dun on the fourth day of October. 1689. upon the high sea's That is to  
 say in martins Vineyard Sound near Tarpolin Cove upon the Sloop  
 Mary of Boston then Sayling under their Ma<sup>ties</sup>. Colours & upon the  
 Com<sup>mander</sup> namely Samuel Pease and Company being in number about  
 twenty of their Ma<sup>ties</sup>. Liege People then & there upon their Ma<sup>ties</sup>.  
 service being *et*. with force and Armes an Assault did make, and with  
 bullets which he out of small Guns feloniously shot, the body of the  
 said Samuel Pease in severall places did strike and mortally wound of  
 which mortall wounds he did grievously Languish untill the twelfth  
 day of the said Octob<sup>r</sup>. and then of the s<sup>d</sup>. mortal wounds dyed. And

so the Juro<sup>r</sup>. upon their oath's do say that the said William Dun upon the high seas afores<sup>d</sup>. the day & year afores<sup>d</sup>. of his malice forethought the said Samuel Pease in manner and forme afores<sup>d</sup>. did feloniously kill and murther contrary to the peace of our Sovereign Lord & Lady the King and Queen their Crown and dignity and the Laws of God and this Colony. Upon which afores<sup>d</sup>. two severall Indictments the said William Dun was severally arraigned and to Each of them  
 17<sup>th</sup> day pleaded Guilty. The Court Adjudged the said William Dun to have the sentence of death pronounced against him (w<sup>ch</sup>. was accordingly pronounced by the Deputy Governo<sup>r</sup>.) That is to say That he said William Dun be returned to the place from whence he came and from thence be carryed to the place of Execution and there be hanged by the neck untill he be dead./.

144. Richard Griffin of Boston Gun Smith being arraigned upon a Bill found against him by the Grand jury, That is to say, that the said Richard Griffin upon the fourth day of October 1689. upon the high seas, that is to say, in Martyns Vineyard Sound near Tarpolin Cove upon the Sloop Mary of Boston then Sayling under their Ma<sup>ties</sup>. Colours and upon the Comander namely Samuel Pease & Company being in number about twenty of their Ma<sup>ties</sup>. Liege people then and their upon their Ma<sup>ties</sup>. Service being c<sup>o</sup><sup>r</sup>. with force and armes an Assault did make and with Bullets which he out of small Guns feloniously Shot, the body of s<sup>d</sup>. Samuel Pease did strike in severall places and mortally wound, of which mortal wounds the said Samuel Pease did grievously Languish untill the twelfth day of the said October and then of the said mortal wounds dyed, And so the Jurors upon their Oath's do say that the said [228]

Richard Griffin upon the high Seas aforesaid the day and year aforesaid of his malice forethought the said Samuel Pease did feloniously kill and murther contrary to the Peace of our Sovereign Lord and Lady the King and Queen their Crown and dignity and the Laws of God and this Colony. The said Richard Griffin  
 The Jury whereof } pleaded not Guilty and put himselfe upon Tryal by  
 Eliazur Holyoke is } God and the Country. The Jury found said Richard  
 Foreman . . . } Griffin guilty of the Felony and Murder whereof he stands Indicted./.

144. Richard Griffin being arraigned upon a Bill found against him by the Grand jury, That is to say, that

the said Richard Griffin upon Friday the ninth day of August. 1689. upon the high Sea's that is to say, about three Leagues from halfe way Rock in the Massachusetts Bay, then and there upon y<sup>e</sup> Katch Mary of Salem Hellen Chard Master and upon the said Mast<sup>r</sup>. and men *et*<sup>a</sup>. with force and Arme's an Assault did make and as a Felon and Pirate with Guns and Swords did Enter and the said Katch with all her appur<sup>tes</sup>. and Lading of Fish being the value of sixty pounds of the goods and Chattels of their Ma<sup>ties</sup>. Leige People from the said master feloniously and piratically did take and carry away *et*<sup>a</sup>.

The said Richard Griffin pleaded not Guilty and put himselfe upon Tryal by God and the Country, And upon what himselfe confest on his Tryal without farther Evidence The Jury found said Richard Griffin Guilty of the Felony and piracy whereof he stands Indicted. The Court Adjdg<sup>d</sup>. said Richard Griffin 17<sup>th</sup> day to have the sentence of death pronounc<sup>d</sup>. against him (which was accordingly pronounced by the Deputy Governo<sup>r</sup>.) That is to say, That he said Richard Griffin be returned to the place from whence he came and from thence be carried to the place of Execution and there be hanged by the neck untill he be dead./.

Edward Browne being Indicted arraigned and tried for feloniously killing and murdering of Cap<sup>n</sup>. 144  
Samuel Pease, as is laid in said Indictment, said Edward Browne pleading not guilty, And William Warren and Samuel Watts witnessing for him that he was detained on board the vessell as a Prisoner and a force put upon him; The Jury brought in their verdict That Edward Browne is not guilty: whereupon he was Acquitted <sub>^</sub> of his Imprisonment./

The Jury whereof  
Jon<sup>s</sup>. Remington  
is Foreman — }

Benjamin Gallop, Abraham Adams jun<sup>r</sup>. and Colburn Turell [229] making default in attending the Court to give Evidence for their Ma<sup>ties</sup>. against Richard Griffin and others then to come to their Tryal were Fined Ten shillings apiece. Afterwards upon hearing their Excuse the Court remitted the Fine./.

Daniel Lander being arraigned upon a Bill found against him by the Grand-jury That is to say, That 154.  
the said Daniel Lander upon Friday the ninth day of Aug<sup>r</sup>. 1689. upon the high Sea's, That is to say about three Leagues from halfeway Rock

in the Massachusetts Bay, then and there upon the Katch Mary of Salem Hellen Chard Master and upon the said Master and men *et*. with force and Armes an Assault did make and as a Felon and Pirate with Swords & Guns did Enter *et*. And the s<sup>d</sup>. Katch with all her appur<sup>tes</sup>. and Ladeing of Fish being of the value of sixty pounds of the goods and Chattels of their Ma<sup>ties</sup>. Liege People from the said master feloniously and piratically tooke and carryed away, contrary to the peace of our Sovereign Lord and Lady the King and Queen their Crown and dignity and the Laws *et*. The said Daniel Lander to this Indictment pleaded not guilty and put himselfe upon Tryal by God and the Country. The Jury found said Daniel Lander guilty of the Felony and piracy whereof he stands Indicted./.

Daniel Lander being arraigned upon a Bill found against him by the Grandjury, That is to say, That the said Daniel Daniel \* Lander upon the fourth day of October. 1689. upon the high Sea's That is to say, in martins vineyard Sound near Tarpolin Cove, upon the Sloop Mary of Boston then Sayleing under their Ma<sup>ties</sup>. Colours, and upon the Comander namely Samuel Pease and Company being in number about twenty of their Ma<sup>ties</sup>. Liege People then and there upon their Ma<sup>ties</sup>. Service *et*. with force & Armes an Assault did make and with Bullets which he out of small Guns feloniously shot the body of the said Samuel Pease in several places did strike and mortally wound, of which mortal wounds the s<sup>d</sup>. Samuel Pease did grievously Languish untill the twelfth day of the said October and then of the said mortal wounds dyed. And so the Juro<sup>r</sup>. upon their Oath's do say that the said Daniel Lander upon the high seas afores<sup>d</sup>. on the day and year afores<sup>d</sup>. of his malice forethought the said Samuel Pease in manner and forme afores<sup>d</sup>. did feloniously kill and murther contrary to the Peace of our Sovereign Lord and Lady the King and Queen their Crown and dignity the Law's of God and this Colony. To this Indictment he pleaded not guilty and put himselfe upon Tryal by God and the Country : The Jury found s<sup>d</sup>. Daniel Lander guilty of the Felony and murder whereof he stands Indicted. The Court Adjudged the said Daniel Lander to have the sentence of death pronounced against him, (which was pronounced accordingly by the Deputy Governo<sup>r</sup>.) That is to say, That he said Daniel Lander be returned to the

The Jury whereof  
m<sup>r</sup> Elizur Hol-  
yoke is Foreman }

17<sup>th</sup>. day

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\* Repeated in the record.



place from whence he came and from thence be carried to the place of Execution and there be hanged by the neck untill he be dead.

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William Warren being arraigned upon a Bill found against him by the Grand Jury That is to say, That the said William Warren upon Friday the ninth day of August. 1689. upon the high seas about three Leagues from halfeway Rock in the Massachusetts Bay, then and there upon the Katch Mary of Salem Hellen Chard Master and upon the said Master and men *et al.* with force and Armes an Assault did make and as a Felon and Pirate with Guns and swords did Enter *et al.* and the said Katch, with all her appur<sup>ances</sup>. and Ladeing of Fish being the value of sixty pounds of the goods and Chattels of their Ma<sup>ties</sup>. Liege People from the said Master did feloniously and piratically take and carry away, contrary to the Peace of our Sovereign Lord and Lady the King and Queen their Crown and dignity and the Laws *et al.* To this Indictment he pleaded not guilty and put himselfe upon Tryal by God and the Country, The Jury found said William Warren Guilty of the Felony and Piracy whereof he stands Indicted.

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The Jury whereof  
Mr. Jon<sup>s</sup>. Remington  
is Foreman —

William Warren being arraigned upon a Bill found against him by the Grand jury, That is to say, That the said William Warren upon the fourth day of October. 1689. upon the high Seas, that is to say in Martyns Vineyard Sound near Tarpolin Cove upon the sloop Mary of Boston then Sayling under their Ma<sup>ties</sup>. Colours and upon the Com<sup>mander</sup> namely Samuel Pease and Company being in number about twenty of their Ma<sup>ties</sup>. Liege People then and there upon their Ma<sup>ties</sup>. service being, said William Warren under a Red Flag which in defiance of their Ma<sup>ties</sup>. Authority was purposely put up at the head of the mast with force and Armes an Assault did make, and with Bullets which he out of small Guns feloniously shot, the body of the said Samuel Pease in Severall places did strike and mortally wound, of which mortall wounds the said Samuel Pease did grievously Languish untill the twelfth day of the said October and then of the said Mortall wounds dyed; And so the Juro<sup>r</sup>. upon their Oath's do say That the said William Warren upon the high seas afores<sup>d</sup>. on the day and year afores<sup>d</sup>. of his malice forethought the said Samuel Pease in manner and forme aforesaid did feloniously kill and murther contrary to the peace of our Sovereign Lord and Lady the King and Queen their Crown and dignity & the Laws of God and this Colony. To this

same Jury

Indictment he pleaded not guilty and put himselfe upon Tryal by God  
 and the Country. The Jury found him guilty of the  
 17<sup>th</sup>. day Felony and Murder whereof he stands Indicted. The  
 Court Adjudged said William Warren to have the sentence of death  
 pronounced against him (which was accordingly pronounced by the  
 Deputy Governo<sup>r</sup>.) that is to say, That he said William Warren be re-  
 turned to the place from whence he came and from thence be carried  
 to the place of Execution and there be hanged by the neck untill  
 he be dead.

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Samuel Watts being arraigned upon a Bill found against him by  
 the Grand jury for Felony and piracy in takeing and carrying away  
 the Katch Mary of Salem Hellen Chard Master with her appur<sup>ances</sup>. and  
 Ladeing of Fish &c<sup>ts</sup>.  
 pleaded not guilty and put himselfe upon Tryal by God and the  
 Country, And was acquitted by the Jury of the charge laid against  
 him./.

• Samuel Watts being arraigned upon a Bill found against him by  
 the Grand jury That is to say, That the said Samuel Watts upon the  
 fourth day of October 1689, upon the high Seas, that is to say in mar-  
 tins vineyard Sound near Tarpolin Cove upon the sloop Mary of Boston  
 then sayling under their Ma<sup>ties</sup>. Colours & upon the Com<sup>mander</sup> namely  
 Samuel Pease and Company being in number about twenty of their  
 Ma<sup>ties</sup>. Liege people then and there upon their Ma<sup>ties</sup>. Service s<sup>d</sup>. Watts  
 being under a Red Flagg, which in defiance of their Ma<sup>ties</sup>. Authority  
 was purposely put up at the head of the mast, with force and Armes  
 an Assault did make and with Bullets which he out of small Guns  
 feloniously shot; the body of the said Samuel Pease in severall places  
 did strike and mortally wound, of which mortall wounds the said  
 Samuel Pease did grievously Languish untill the twelfth day of the  
 said October and then of the said mortall wounds dyed. And so the  
 Juro<sup>rs</sup>. upon their Oath's do say that the said Samuel Watts upon  
 the high Seas afores<sup>d</sup>. on the day and year afores<sup>d</sup>. of his malice fore-  
 thought the said Samuel Pease in manner and forme aforesaid did  
 feloniously kill and murther contrary to the peace of our Sovereign  
 Lord and Lady the King and Queen their Crown and dignity and the  
 Laws of God and this Colony.  
 To this Indictment he pleaded not guilty and put himselfe upon

Tryal by God and the Country. The Jury found said Samuel Watts guilty of the Felony and Murder whereof he stands Indicted. The Court Adjudged said Samuel Watts to have the sentence of death pronounced against him (which was accordingly pronounced by the Deputy Governo<sup>r</sup>.) That is to say, That he said Samuel Watts be returned to the place from whence he came and from thence be carryed to the place of Execution and there be hanged by the neck untill he be dead./.

The Jury whereof  
Mr. Elizur Hol-  
yoke is Foreman  
— — —

17<sup>th</sup> day

William Coward, Peleg Heath, Thomas Storey and Christopher Knight marrin<sup>g</sup>. being Indicted and a Bill found against them by the Grand jury. That is to say That the said William Coward, Peleg Heath, Thomas Storey and Christopher Knight upon the one and twentyeth day of Novemb<sup>r</sup>. 1689. in the first year of their Ma<sup>ties</sup>. Reign in the Evening of that day in nantasket Road in the Massachusetts Bay then and there upon the Katch Elinor of Boston W<sup>m</sup> Shortriggs master then at an Anchor in the said Road Lying & being, and upon part of the s<sup>d</sup>. Katches seamen or Company and passengers to the number of seven of their Ma<sup>ties</sup>. Liege people then on board the said Katch in the King and Queens peace being a violent Assault did make and with force and Armes that is to say, with Swords and Guns as Pirates and Felons did Enter. And the said Seamen or Company and passengers in great fear of Body put, and the said Katch [232]

15<sup>th</sup> & 16<sup>th</sup> days. of  
Janry. present also  
Mr. Jon<sup>s</sup>. Corwin

with all her appur<sup>ces</sup>. together with severall Cloth's of the Masters and Seamen And severall goods and money belonging to his Ma<sup>ties</sup>. Liege people to the value of Two hundred pounds did from the said Seamen and passengers feloniously and piratically take and carry away, contrary to the peace of our sovereign Lord and Lady the King and Queen their Crown and dignity, the Laws & Statutes in that behalfe made and provided. Upon which Indictment the within named Peleg Heath, Thomas Storey and Christopher Knight were Severally arraigned tryed and by the Jury found guilty of the Felony & Piracy whereof they stand Indicted — The within named William Coward refusing to hold up his hand or plead to the Indictment was remanded back to Prison. The next day said William Coward was

Jury of Tryals  
sworn  
Jonath<sup>s</sup>. Remington  
Foreman  
Nath<sup>l</sup>. Thayer  
William Griggs  
John Ruggles Sen<sup>r</sup>.  
John Watson  
Joseph Leeds  
Hopestill Humfrey  
John Simpson  
Daniel Warren  
Richard Way  
John White  
John Walte  
— — —

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again sent for and set to the Barr who still refusing to hold up his hand or plead to the Indictm<sup>t</sup>. the Jury were called and he making no challenge, were sworn, The Indictment was read and the Evidences for their Ma<sup>ties</sup>. called and Sworn, and the prisoner allowed to speake for himselfe. The Jury found the said William Coward guilty of the Felony and Piracy whereof he stands Indicted./. The Court Adjudged the said Peleg Heath, Thomas Storey, Christopher Knight and William Coward to have the sentence of death pronounced against them. That is to say, That the said William Coward be returned to the place from whence he came and from thence be carried to the place of Execution and there be hanged by the neck untill he be dead./. That the said Peleg Heath be returned to the place from whence he came and from thence be carried to the place of Execution and there be hanged by the neck untill he be dead. That the said Thomas Storey

The sentence declared unto Each of the s<sup>d</sup>. persons severally by the Deputy Govern<sup>r</sup>.

be returned to the place from whence he came and from thence be carried to the place of Execution and there be hanged by the neck untill he be dead./. That the said Christopher Knight be returned to the place from whence he came and from thence be carried to the place of Execution and there be hanged by the neck untill he be dead./. The Court likewise ordered that John Green Marshall

23d. day Janry.

Generall cause this sentence to be Executed upon the said William Coward on Munday the twenty seventh of January instant And that the Secretary (being thereto appointed by Law) signe warrant for the same.

The Court Adjudged and ordered that the severall persons hereafter named tryed at this Court for their lives, That is to say Thomas Haw-

17<sup>th</sup> January 1689

Present

Tho. Danforth Esqr.

Dept. Govr.

John Richards

James Russell

Sam<sup>l</sup>. Appelton

W<sup>m</sup>. Johnson

John Hathorne

Elisha Hutchinson

kins found guilty of Piracy, Thomas Pound, Thomas Johnston, Eleazer Buck John Sickterdam William Dun Richard Griffin, Daniel Lander and William Warren severally found guilty of felony Piracy and Murder, Samuel Watts found guilty of murder. William Coward, Peleg Heath, Thomas Storey and Christopher Knight severally found guilty of Felony and Piracy ha[ve]

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John Smith

Jonath<sup>s</sup> Corwin

John Phillips

Jeremiah Sweyne

— — — —

the Sentence of death pronounced against Each and every of them (That is to say) to be returned to the place from whence they came and from thence be carried to the place of Execution and there be hanged

by the neck untill they be dead. — which Sentence was pronounced against Each of the said persons severally by the Depty. Governo<sup>r</sup>. They being brought and Set to the Barr.

John Newhall Tertius of Lyn found guilty of Man Slaughter, is Ordered to pay two third parts of charges of prosecution, prison charges and Fees, amounting to Thirty six pounds nineteen Shillings and four pence (the whole being fifty five pounds Ten shillings) and to remain in custody untill he performe it. Post Meridiem

Thomas Witt of Lynn found guilty as accessory of Man Slaughter is ordered to pay one third part of the charges of prosecution prison charges and Fees. amounting to Eighteen pounds nine Shillings & Eight pence (the whole being fifty five pounds Ten shillings) and to remain in custody untill he performe it./.

Robin Negro found guilty of Man Slaughter, is Ordered to pay the charges of prosecution prison charges and Fees and to remain in custody untill he performe it./.

Adjourned to Munday the 20<sup>th</sup> of January instant 1689 at one a clock and then met.

Present Thomas Danforth Esq<sup>r</sup>. Dep<sup>t</sup>. Gov<sup>r</sup>.

Wait Winthrop

John Richards

James Russell

William Johnson

Elisha Cooke

Esq<sup>s</sup>

Samuel Shrimpton

Es<sup>q</sup>'s

Elisha Hutchinson

Samuel Sewall.

John Phillips.

William Neffe being imprisoned upon an accusation for deserting their Ma<sup>ties</sup>. Garrison at Falmouth where he was posted a private Centinel and confederating with Thomas Pound Thomas Hawkins &c<sup>rs</sup>. in their piracy, said Neffe appearing in Court and it being certified that he was enticed and deluded away from the Garrison by his Corporal And that he tooke the first Opportunity to leave the pirates, Escaping from them and applyed himselfe to the next Magistrate. The Court discharged him He paying for a Gun which he had of the Country<sup>s</sup>. store and saith he disposed of for his Support./.

Adjourned to Thursday 23<sup>th</sup>. of January instant at nine in the morning and then met./.

Present. Thomas Danforth Esq<sup>r</sup>. Dep<sup>ty</sup>. Govern<sup>r</sup>.

Wait Winthrop

John Richards

Sam<sup>l</sup>. Shrimpton

William Johnson Esq<sup>s</sup>.

Sam<sup>l</sup>. Sewall Esq<sup>s</sup>

Elisha Hutchinson

John Smith

John Phillips

Jon<sup>s</sup>. Corwin

Ordered that Thomas Pound, Thomas Hawkins, Thomas Johnston William Coward and Eleazer Buck five of the condemned prison<sup>rs</sup>. sentenced to be hanged, be Executed on Munday next the twenty

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seventh of January instant, notice thereof to be forthwith given them by the Marshall; And that John Green Marshall General cause the Sentence of this Court pronounced against them to be Executed upon them and every of them on Munday the said 27<sup>th</sup>. instant. And the Secretary (being thereto appointed by Law) to signe warrant for the same./.

The Court dismiss.

[*The rest of this page is blank.*]

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Anno R : R<sup>a</sup>. et Reginae Gulielmi et Mariae Secundo./  
Massachusetts s<sup>a</sup>./.

At a Court of Assistants held at Boston, April. 8<sup>th</sup>. 1690. being adjourned from the fourth day of March last past. —

Present./. Thomas Danforth Esq<sup>r</sup>. Dep<sup>ty</sup>. Gov<sup>r</sup>.

John Richards

Wait Winthrop

James Russell

William Johnson } Assist<sup>s</sup>.

Elisha Hutchinson

Samuel Sewall

John Phillips

Jury of Trials or  
Petit Jury = Sworn  
Cap<sup>ts</sup>. W<sup>m</sup>. Green-  
ough[h]

Sam<sup>l</sup>. Marshall

John Dyer

Abrah<sup>m</sup>. Ellis

Sarah Fowler of Boston Wine

Retailer. P<sup>l</sup> . . .

vers

Thomas Clarke of Boston

Pewterer Def<sup>t</sup>.

} On appeale from the  
Judgment of the  
County Court Sitting  
in Boston 19<sup>o</sup>. No-

vemb<sup>r</sup>. 1689. The Reasons of Appeale Answers and Evidences in the case were read and committed to the Jury; The Jury found for the Defendant. Confirmation of former Judgement, That is to say, Twenty ffour pounds in money damage and costs of Courts. Allowed Two pounds thirteen Shillings and four pence./. Execution issued 5<sup>o</sup>. May. 1690./.

24. Jury.

Isa: Newell Senr.  
Moses Draper  
Tho: Lord Senr.  
Isaac Fowle  
Sam<sup>l</sup>. Buck  
John Capen  
Joseph Russe[ll]  
Noah Bema[n]  
— — — —

Edmund Perkins of Boston }  
Shipwright P<sup>t</sup>. } On appeale from the  
Vers. } Judgement of the  
John Winslow of Boston } County Court sitting  
Merch<sup>t</sup>. Def<sup>t</sup>. } in Boston ffbruary  
25<sup>o</sup>. 1689. where the P<sup>t</sup>. Sued the said Winslow for unloseing and takeing away a certain Boat of the pl<sup>u</sup>. with the Oares, and not returning and delivering said Boat to the pl<sup>t</sup>. to the damage of ffifteen pounds 9<sup>s</sup>. according to attachm<sup>t</sup>. And was cast to pay costs of Court. The Reasons of Appeale Answers and Evidences in the case produced were read and committed to the Jury, The Jury found for the P<sup>t</sup>. Reversion of the former Judgement, and that John Winslow deliver to Edmund Perkins the Boat in controversy in as good repair as she was when he tooke her away, with twenty Shillings damage and costs of Courts, allowed Thirty Eight shillings and two pence./.

14. Jury

Petit Jury = Sworn  
Mr. David Jeffr[y]  
Timothy Clar[k]  
W<sup>m</sup>. Phillips  
Jacob Mel[yn]  
Tho: Carter  
Sam<sup>l</sup>. Marshall  
Zech<sup>s</sup>. Johnson  
John Skeat[s]  
John Grosven[or]  
John Holbroo[k]  
Stephen Wat[ ]  
Sam<sup>l</sup>. Hix  
— — — —  
John Keech was put  
on y<sup>e</sup> Jury in roome  
of Tim<sup>s</sup>. Clarke  
[who is ]

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Willaim Arbuckle Merch<sup>t</sup>. P<sup>t</sup>. (on appeale from the Judgement of the County Court sitting in Boston. 25<sup>o</sup> February ult.) vers. Robert Bronsdon Adm<sup>t</sup>. to the Estate of Edward Bricknall late of Boston marin<sup>r</sup>. dece<sup>d</sup>. Defend<sup>t</sup>. where the said Bronsdon recovered Judgem<sup>t</sup>. against said Arbuckle for Five hundred pound's Sterling money of England Penalty of the Charter party and costs of Court.

The Jury finde for the P<sup>t</sup>. Reversion of the former Judgement and costs of Courts./.

24 Jury./.

Arbuckle  
vers.  
Bronsdon.

William Black marrin'. master of the Pinke  
 Mary P<sup>t</sup>. (on Appeale from the Judgement of the  
 County Court sitting in Boston 25°. February ult.)  
 vers. Robert Bronsdon Merch<sup>t</sup>. and Isaac Greenwood  
 marrin'. Def<sup>s</sup>. which Judgement was for the Def<sup>s</sup>. costs of Court.

2<sup>d</sup> Jury. The Jury find for the Def<sup>s</sup>. costs of  
 Courts.

William Black P<sup>t</sup>. (on appeale from the Judge-  
 ment of the County Court sitting in Boston 25°. Feb-  
 ruary ult). vers. Pinke Mary, Robert Bronsdon and  
 Isaac Greenwood Owners Def<sup>s</sup>. which Judgem<sup>t</sup>. was  
 for the P<sup>t</sup>. viz<sup>t</sup>. Twenty eight pounds one shilling in money and costs  
 of Court. The Jury finde for the Def<sup>s</sup>.\*

2<sup>d</sup> Jury. Reversion of the former Judgem<sup>t</sup> and  
 costs of Courts.

William Black P<sup>t</sup>. vers. Robert Bronsdon Def.  
 on appeale from the Judgem<sup>t</sup>. of the County Court  
 sitting in Boston 25°. February ult. which is for the  
 Def<sup>t</sup>. costs of Court.

The Jury find for the Def<sup>t</sup>. costs of  
 Courts.

Charles Lidgett and Francis Foxcroft Execto<sup>r</sup>. to  
 Anthony Heywood. P<sup>l</sup>s. vers. Thomas Eyres Def<sup>t</sup>. on  
 Appeale from the Judgement of the County Court in  
 Boston. 25° Feb<sup>r</sup>. ult. where the said Eyres recov-  
 ered costs of Court. The Jury finde for the Def<sup>t</sup>.  
 costs of Courts.

Stephen Robineau Marrin'. Master of the Katch  
 Amitie P<sup>t</sup>. vers. Peter Assailly jun<sup>r</sup>. Merch<sup>t</sup>. Def<sup>t</sup>.  
 on appeale from the Judgement of the County  
 Court sitting in Boston 25° Feb<sup>r</sup>. ult. viz<sup>t</sup>. Thirty  
 pounds and costs of Courts recovered by the

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said Assailly ag<sup>t</sup>. him said Robineau. The Jury find for  
 the P<sup>t</sup>. Reversion of the former Judgement and  
 costs of Courts.

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\* In this case and some others the original title of the case in the County Court is retained.



Elisha Hutchinson and Penn Townsend P<sup>ts</sup>. vers. Gyles Fyfield and Timothy Clarke Def<sup>s</sup>. on appeale from the Judgem<sup>t</sup>. of the County Court Sitting in Boston 19<sup>o</sup>. Novemb<sup>r</sup>. 1689. for costs of Court recovered by the said Fyfield and Clarke.

Hutchinson *et*  
vers.  
Fyfield *et*  
2<sup>d</sup> Jury.  
Ex<sup>co</sup> issued  
March  
26.91

The Jury find for the Def<sup>s</sup>. costs of Courts, allow<sup>d</sup>. Thirty Six shillings.

Susanna Walker P<sup>t</sup>. vers. Hezekiah Usher Def<sup>t</sup>. on appeale from the Judgement of the County Court sitting in Boston. 25<sup>o</sup>. February ult. where said Hezekiah Usher recovered of the s<sup>d</sup>. Susanna Walker Judgement for Forty five pounds six shillings and four pence in money and costs of Court. The Jury find for the Def<sup>t</sup>. Confirmation of the former Judgement and costs of Courts.

Walker  
vers.  
Usher  
1<sup>d</sup> Jury

David Waterhouse of Boston Merch<sup>t</sup>. P<sup>t</sup>. vers. Seth Perry Def<sup>t</sup> on appeale from the Judgement of the County Court Sitting in Boston 19<sup>o</sup>. Novemb<sup>r</sup>. 1689. where said Perry recovered Ten pounds in money damage and costs of Court against the said Waterhouse. The Jury finde for the P<sup>t</sup>. Reversion of the former Judgement and costs of Courts

Waterhouse  
vers.  
Perry.  
1<sup>d</sup> Jury.

George Mountjoy of Boston Marrin<sup>r</sup>. P<sup>t</sup>. vers. Samuel Hemlock of Boston Marrin<sup>r</sup>. Def<sup>t</sup>. on appeale from the Judgem<sup>t</sup>. of the County Court sitting in Boston 25<sup>o</sup> February ult. which Judgement was for the said Hemlock ag<sup>t</sup>. said Mountjoy for Forty pounds in money damage and costs of Court.

Mountjoy  
vers.  
Hemlock  
1<sup>d</sup> Jury

The Jury <sup>^</sup> for the Def<sup>t</sup>. confirmation of the former Judgem<sup>t</sup>. That is to say Forty pounds in money damage and costs of Courts. allowed Three pounds six shillings and six-pence.

Execution issued  
8<sup>o</sup>. May 1690

Samuel Banks of Yorke P<sup>t</sup>. vers. John Child of Boston Taylor Def<sup>t</sup>. on Appeale from the Judgement of the County Court Sitting in Boston. 19<sup>o</sup>. Novemb<sup>r</sup>. 1689. where said Child recovered Judgem<sup>t</sup>. for Ten pounds four Shillings in money & costs of Court. The Jury find for the Def<sup>t</sup>. Confirmation of the former Judgement, That is

Banks  
vers.  
Child.  
Execution issued  
26<sup>o</sup>. April. 1690.

to Say, Ten pounds four shillings in money and costs of Courts, allow<sup>d</sup>.  
Twenty Eight Shillings. 6<sup>d</sup>.

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**Brentnal**  
vers.  
**Hamlin**  
2<sup>d</sup> Jury.

Thomas Brentnal formerly of Rumney Marish  
now of Wadeing River P<sup>t</sup>. vers. Thomas Hamlin and  
Esther his wife late widow and Adm<sup>r</sup>. to the Estate of  
Thomas Platts late of Boston dece<sup>d</sup>. Def<sup>t</sup>. on Appeale  
from the Judgem<sup>t</sup>. of the County Court sitting in Boston. 19<sup>o</sup>. No-  
vemb<sup>r</sup>. 1689. where the said Hamlin recovered Judge-  
ment for One hundred twenty ffive pounds in money  
according to Agreement and Costs of Court. The  
Jury find for the Def<sup>t</sup>. Confirmation of former Judgem<sup>t</sup>, That is to  
say, one hundred Twenty ffive pounds in money according to Agree-  
ment and costs of Courts allowed Thirty ffour Shillings Sixpence.

**Execution issued**  
28<sup>d</sup> April. 1690./

**English**  
vers.  
**Stebbins**  
2<sup>d</sup> Jury.

Phillip English of Salem P<sup>t</sup>. vers. Rebecca Steb-  
bins of Boston widow Def<sup>t</sup>. on Appeale from the  
Judgem<sup>t</sup>. of the County Court sitting in Boston 19<sup>o</sup>.  
Novemb<sup>r</sup>. 1689. where the said Rebecca Stebbins re-  
covered Judgem<sup>t</sup>. against the said Phillip English viz<sup>t</sup>. for the delivery  
of the Boat and appurtenances sued for, at Salem within Ten dayes  
next, and three pounds in money damage and costs of Court; Or in  
default thereof Twenty pounds in money and costs of Court. The  
Jury find for the Def<sup>t</sup>. Confirmation of former Judgement and costs of  
Courts, allowed.

April 10<sup>th</sup>. 1690.

**present, also**  
**Rob<sup>t</sup>. Pike**  
**John Hathorne**  
**Jonath<sup>a</sup>. Corwin**

Upon reading the Petition of Phillip Goss mar-  
rin<sup>r</sup>. Setting forth that Hannah his wife is married  
to one at Jamaica with whome she now lives and by  
him hath had a Child. And producing a Certificate  
from the Clerke of the Parish of the said Hannah<sup>a</sup>. being married to  
one John Morrey, besides severall Evidences thereof, Praying for a  
divorce. Ordered that the said Phillip Goss be and hereby is divorced  
from the said Hannah and discharged from all conjugal duty and Obli-  
gation unto her for maintenance or Dowry.

The Court dismist./

[From here the record appears to be in the handwriting of Joseph Webb, who was Clerk of the Suffolk County Court, and seems to have acted as Secretary for the Court of Assistants, Addington having become an Assistant as appears by the record.]

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Anno R R<sup>s</sup> et Reginæ Gulielmi et Mariæ Angliæ &c. Tertio  
Massachusetts ss /

At a Court of Assistants holden at Boston Septem<sup>r</sup>. 2, 1690.

Present

The Hon<sup>ble</sup>. Simon Bradstreet Esq<sup>r</sup> Govern<sup>r</sup>.

Thomas Danforth Esq<sup>r</sup>. deputy Govern<sup>r</sup>.

Maj <sup>r</sup> . Gen <sup>l</sup> . Wayt Winthrop	} Assist <sup>ts</sup>	James Russell	} Assist <sup>ts</sup> .
William Johnson		Samuel Sewall	
Elisha Hutchinson		Isaac Addington	
John Phillips			

PETER DE VAULX of Boston Merch<sup>t</sup>. Pl<sup>t</sup>.

vers.

ROBERT SHELSTON of Boston Labourer def<sup>t</sup>.

} on Appeale from the  
Judgem<sup>t</sup>. of y<sup>e</sup> County  
Court held in Boston

Aug<sup>o</sup>. 12<sup>th</sup>. on Adjournm<sup>t</sup>. from 29 July 1690, for assaulting & beating  
y<sup>e</sup> s<sup>d</sup> De Vaulx, where s<sup>d</sup> De Vaulx was cast, costs of Court. The  
Attachm<sup>t</sup>. Courts Judgem<sup>t</sup>. & Reasons & Evidences in the case being  
read were committed to the Jury, who returned with their Verdict viz<sup>t</sup>.  
They found for the Appel<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. and five  
shillings in money damage and five shillings costs.

ROBERT SWAN sen<sup>r</sup>. of Haverhil Pl<sup>t</sup>.

vers.

SIMON WAINWRIGHT Attorney of Fr.  
Wainwright def<sup>t</sup>.

} On appeale from the County  
Court of Salem the last tues-  
day in June 1690 where the  
s<sup>d</sup>. Wainwright recovered

Judgem<sup>t</sup>. for eighty five pounds nineteen shillings & eleven pence in  
wheat, Rye, corne porke or merchantable fatt beefe hides tallow at  
2<sup>d</sup> p li according to accomp<sup>t</sup>. & costs of Court. The Parties joyned  
issue.

The Attachm<sup>t</sup>. Courts Judgem<sup>t</sup>. Reasons of Appeale & Evidences  
in y<sup>e</sup> Case being read were committed to the Jury and are on file The

Jury returned their verdict they found for the defendt. confirmation of former Judgem<sup>t</sup>. and costs of Courts. /

[Blank.]

John Crode of Salem Ex<sup>r</sup>. of the last will and testam<sup>t</sup> of m<sup>s</sup> Elizabeth Price, [Pl<sup>t</sup>] vers. Capt Jn<sup>o</sup>. Price Surviving Ex<sup>r</sup>. of Cap<sup>t</sup>. Walter Price defendt. On Appeale from Salem Court the last tuesday in June 1690 according to Attachm<sup>t</sup>. dated 5<sup>th</sup>. June 1690 where s<sup>d</sup> Croad recovered Judgem<sup>t</sup>. viz<sup>t</sup>. the Estate in controversy according to the will of m<sup>s</sup> Eliz<sup>a</sup>. Price &c and costs of Court The Attachm<sup>t</sup>. Courts Judgem<sup>t</sup>. Reasons of Appeale & evidences being read were comitted to y<sup>e</sup> Jury, The Jury returned their verdict viz<sup>t</sup>. They found for the defendt. Reversion of the former Verdict & costs of Courts.

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JOHN PYNCHON of Boston merch <sup>t</sup> Pl <sup>t</sup> .	}	On Appeale from the Judgem <sup>t</sup> of the County Court holden in Boston Aug <sup>o</sup> . 12 <sup>th</sup> . on Adjournm <sup>t</sup> . from 29. July 1690, where the s <sup>d</sup> John Foster & David Waterhouse recovered Judgem <sup>t</sup> . Possession of the Messuage or Tenem <sup>t</sup>   &c   sued for in the Attachm <sup>t</sup> . & costs of Court. The Reasons of Appeale, answers and Evidences in the Case being read were comitted to y <sup>e</sup> Jury. The Jury returned w <sup>th</sup> . their Verdict viz <sup>t</sup> . They find for the Pl <sup>t</sup> . Reversion of the former Judgem <sup>t</sup> . and costs of Courts./
vers. JOHN FORSTER & DAVID WATERHOUSE merch <sup>a</sup> . def <sup>a</sup> .		

THOMAS FOSKET of Charlestowne Pl <sup>t</sup> .	}	The Pl <sup>t</sup> . was non-suited not giving in his Reasons in time according to Law
vers. HANNAH FOSKETT widow defendt.		

VINCENT STILSON of Marblehead Pl <sup>t</sup> . . .	}	On Appeale from the Judgm <sup>t</sup> . of Salem Court 24 <sup>th</sup> . of June 1690, where s <sup>d</sup> Cap <sup>t</sup> . Norden &c recovered
vers. CAP <sup>t</sup> . NATH <sup>l</sup> . NORDEN &c Selectmen of Marblehead def <sup>a</sup> .		

Judgem<sup>t</sup>. fifty five shillings in money according to Bill and costs of Court. The Parties join'd issue. The Reasons of Appeale & Evidences in the Case being read & comitted to the Jury and remain on file The Jury returned their Verdict viz<sup>t</sup>. They find for the defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. & costs of Co<sup>r</sup><sup>ts</sup>.

NATHANIEL GOOKIN &	* his wife Pl <sup>ts</sup>	} The Pl <sup>ts</sup> nonsuited not giving in the Reasons in time according to Law.
vers.		
EPHRAIM SAVAGE &c. . . . .	defend <sup>ts</sup> .	

MARY SAVAGE Spinster Pl <sup>t</sup> .	} The Pl <sup>t</sup> was nonsuited not giving in her Reasons in time according to Law./
vers.	
EPHRAIM SAVAGE &c <sup>a</sup> . defend <sup>t</sup>	

JOSEPH LAMPSON Constable of Maldon pl <sup>t</sup> .	} On appeale from the Judgem <sup>t</sup> . of Charles-towne Court July 1 <sup>o</sup> .
vers.	
CAP <sup>t</sup> . WILLIAM GREEN defend <sup>t</sup> .	

1690 on adjournm<sup>t</sup>. where s<sup>d</sup>. Cap<sup>t</sup>. Green recovered Judgem<sup>t</sup>. for a staff or paire of Colo<sup>r</sup>s to be returned to him as when taken away or six pounds in money & Costs of Court. The Reasons of Appeale & Evidences in the case being read and comitted to the Jury, The Jury returned their verdict viz<sup>t</sup> They find for the defend<sup>t</sup>. the Colours in Controversy or three pounds ten shillings in money & costs of Courts.

Lampson  
vers.  
Green  
1 Jury

DANIEL REA of Salem. Pl <sup>t</sup> .	} On Appeale from the Judgem <sup>t</sup> . of	Rea vers.
vers.		Putnam
CAP <sup>t</sup> . JOHN PUTNAM of Salem def <sup>t</sup> .		

Salem Court June 24<sup>th</sup>. 1690 where said Putnam recovered Judgem<sup>t</sup>. the land in Controversy & costs of Court: The Reasons of Appeale answers & Evidences in the Case being read & comitted to the Jury, The Jury returned their Verdict, viz<sup>t</sup>. They find for the defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. & Costs of Courts./

2 Jury.

\* Left blank in the record.



THOMAS EDWARDS Marriner Pl<sup>t</sup>.

vers.

ZECHARIAH JARVIS . . . . def<sup>t</sup>On Appeal from the Judgm<sup>t</sup>. of  
the County Court holden in

Boston on 12<sup>o</sup>. Aug<sup>o</sup>. by adjournm<sup>t</sup>. from the 29 of July 1690. where s<sup>d</sup>. Jarvis recovered Judgem<sup>t</sup>. ag<sup>t</sup>. the Appell<sup>t</sup>. The goods sued for according to Invoice in Twenty dayes or pay One hundred & ninety pounds Eighteen shillings & one penny in money damage & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeale & evidences in the Case being read were comitted to the Jury who returned their Verdict thereon, viz<sup>t</sup>. They find for the Plaint. The Reversion of the former Judgement & Costs of Courts.

Edwards  
vers.  
Jarvis.  
1 Jury.

JOHN NEWMARSH of Ipswich Pl<sup>t</sup>.

vers.

PETER BERRY of Ipswich defend<sup>t</sup>.On Appeale from the || Judgem<sup>t</sup>  
of y<sup>e</sup> || County Court holden at  
Salem June 24<sup>th</sup>. 1690 where s<sup>d</sup>

Berry recovered Judgem<sup>t</sup>. ag<sup>t</sup>. the Appell<sup>t</sup>. Forfeiture of y<sup>e</sup> bond two hundred pounds money & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeale and Evidences in the Case being read & comitted to the Jury. The Jury returned their Verdict thereon viz<sup>t</sup>. They find for the Appell<sup>t</sup>. The Reversion of the former Judgem<sup>t</sup>. & costs of Courts.

Newmarsh  
vers.  
Berry.

PETER BERRY of Ipswich Pl<sup>t</sup>.

vers.

JOHN NEWMARCH of Ipswich def<sup>t</sup>On Appeale from the Judgem<sup>t</sup>. of  
Ipswich Court March 25. 1690.

where s<sup>d</sup>. Newmarch recovered Judgem<sup>t</sup>. ag<sup>t</sup>. the Appell<sup>t</sup>. for twenty foure pounds according to Bill & three pounds six shillings more damage & costs.

Berry  
vers.  
Newmarch

[Blank.]

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PETER BERRY of Ipswich Pl<sup>t</sup>.

vers.

JOHN NEWMARCH of Ipswich def<sup>t</sup>.On Appeale from  
the Judgem<sup>t</sup>. of  
the Court held at

Berry  
vers.  
Newmarch

Ipswich March 25<sup>o</sup>. 1690: where s<sup>d</sup>. Newmarch obtained Judgem<sup>t</sup>. ag<sup>t</sup>. the Appellant fifty nine pounds according to bill & ten pounds more damage and costs of Court. The Courts Judgem<sup>t</sup>. Reasons of Appeale,

answers & Evidences in the Case being read were committed to the Jury. <sup>Λ</sup>

[*Blank.*]

Cap<sup>t</sup>. Cyprian Southack Com<sup>ma</sup>nder of the ship Porcupine by his libel & Information Exhibited unto this Court, Giving the Court to understand & be informed that in pursuance of a Com<sup>mi</sup>ssion given him by the Lords Com<sup>mi</sup>ssioners for Executing the office of Lord High Admiral of Engl<sup>d</sup>. bearing date the 16<sup>th</sup>. day of July Anno. 1689. In the First yeare of y<sup>e</sup> Reign of Our Sovereign Lord & Lady William & Mary now King & Queen over England &c<sup>a</sup>. and Instructions thereto annexed for the takeing or seizing any merchant ship or ships belonging to France or ship or ships of any dominion under the French Power, or any ship or ships trading to or from f<sup>r</sup>rance or any f<sup>r</sup>rench Dominion, and to bring such ship or ships into any Port or Ports within their s<sup>d</sup>. Ma<sup>ty</sup> William & Mary's Sovereignty or of their f<sup>r</sup>iends or Allies to be proceeded ag<sup>t</sup>. as suspected Prize He the s<sup>d</sup> Cap<sup>t</sup>. Cyprian Southack cruising upon the Banks of Newfoundland in the s<sup>d</sup>. ship Porcupine on the 20<sup>th</sup> day of July in the second year of their s<sup>d</sup> Maj<sup>ty</sup> <sup>Λ</sup> over England &c did take & seize the ship called the Gift of God belonging to France of y<sup>e</sup> Burthen of Eighty Tonns or thereabouts whereof one Romain L'Cordier a f<sup>r</sup>renchman Subject to y<sup>e</sup> f<sup>r</sup>rench King was master laded with f<sup>r</sup>rench wine brandy, fish & salt navigated with Frenchmen Enemies to their s<sup>d</sup>. Maj<sup>ty</sup>. William & Mary, and is become a lawfull Prize to the s<sup>d</sup>. Cyprian Southack who hath brought the same into this Port for the Condemnation thereof as the Law in that case directs. Praying the advice of this Court, for the Condemnation & Confiscation of y<sup>e</sup> afores<sup>d</sup>. Ship the Gift of God together with all her rigging, tackle f<sup>r</sup>urniture am<sup>u</sup>nition and apparel to y<sup>e</sup> s<sup>d</sup> Cyprian Southack as a free & lawfull Prize according to the Com<sup>mi</sup>ssion & Instructions given to him as afores<sup>d</sup>., and y<sup>e</sup> several Proclamations Laws & Statutes in that case made & provided.

Upon reading & due Consideration of y<sup>e</sup> afore recited Com<sup>mi</sup>ssion & Instructions, and hearing the Confession of the s<sup>d</sup>. Romain L'Cordier late Master and Tout saints Le sont late mate of the within named ship Gift of God (both of them personally Appearing in Court. <sup>Λ</sup> The Court do adjudge declare & decree the s<sup>d</sup>. Ship Gift of God, with all her rigging tackle f<sup>r</sup>urniture apparel and lading to be lawfull Prize & confiscate unto the s<sup>d</sup> Cap<sup>t</sup>. Cyprian Southack as belonging to y<sup>e</sup> Sub-



jectes of the french King King,\* Enemies to their Ma<sup>ties</sup>. William & Mary King & Queen of Engl<sup>d</sup> &c at the time of the takeing & seizing thereof.

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Cap<sup>m</sup>. Cyprian Southack Commander of the ship Porcupine by his libell and Information exhibited unto this Court, Giveing the Court to understand & be informed, That in pursuance of a Comission given him by the Lords Com<sup>rs</sup>. for executing the office of Lord High Admirall of England &c bearing date the 16<sup>th</sup> day of July Anno 1689 in the first yeare of the Reign of o<sup>r</sup>. Sovereign Lord & Lady William & Mary now King & Queen over England &c<sup>a</sup>. and Instructions thereunto annexed for the takeing or seizing any Merchant ship or ships belonging to france, or ship or ships of any dominion under the french Power, or any ship or ships tradeing to or from france, or any french dominion not haveing their Maj<sup>ties</sup>. Pass or by their Ma<sup>ties</sup>. Power, and to bring such ship or ships into any Port or Ports within theire s<sup>d</sup>. Ma<sup>ties</sup>. William and Mary's Sovereignty or of their friends or Allies to be proceeded against as suspected Prize, And whereas farther the s<sup>d</sup>. Cyprian Southack by his s<sup>d</sup>. libell gives the Court to understand, That the ship William of Waymouth of the burthen of seventy Tons or thereabouts whereof one Jacob Chubb of s<sup>d</sup> Waymouth in the Kingdome of England was Com<sup>mander</sup> was in y<sup>e</sup> month of October last past taken from s<sup>d</sup>. Jacob chubb then master thereof with the seamen thereunto belonging by the Portugal Frigott of the Harbour of S<sup>t</sup>. Mallo in france, Privateers, Enemies of their Ma<sup>ties</sup>. William & Mary, and was by them carryed in || to || the s<sup>d</sup>. Harbour of S<sup>t</sup>. Mallo in France, and there made Prize, and adjudged publickly to one W<sup>m</sup>. Vincent s<sup>r</sup>. of Bas sa blous Burgess and Merch<sup>t</sup>. dwelling in s<sup>d</sup>. Town of s<sup>t</sup>. Malo, & subject of the French King And farther that the s<sup>d</sup> Jacob Chubb haveing confederacy & combination with one Jacob Seale of the Island of Jersey merch<sup>t</sup>. and correspondency &c with the afores<sup>d</sup> William Vincent & others Subjects of the french King did there contract & agree at s<sup>t</sup>. Malo afores<sup>d</sup>. w<sup>th</sup>. s<sup>d</sup> w<sup>m</sup>. Vincent for the s<sup>d</sup> Ship William of Waymouth w<sup>th</sup>. her Rigging furniture & Apparel, and afterwards sailes w<sup>th</sup>. s<sup>d</sup> ship loaded with french wines, brandy, bread, salt & linnen for Newfoundland haveing lettpasses & certificates from the s<sup>d</sup> french King, and his subordinate Officers w<sup>th</sup>. special charge to observe the Orders of the s<sup>d</sup>. french King &c against the form & effect of their

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\* Repeated in the record.

Ma<sup>ties</sup>. William & Mary's Proclamation of warr and divers other Proclamations lawes statutes & ordinances in such cases made & provided. . And whereas the s<sup>d</sup>. Cap<sup>t</sup>. Cyprian Southack further informes that by vertue of his aforemencōned Comission & Instructions to him given, cruising upon the Coast of New-foundland in the ship Porcupine, on the twenty seventh day of June in the second yeare of their Maj<sup>ties</sup>. Reign over England &c at Scilly Cove in Newfound-land he took & seized the s<sup>d</sup> William of Weymouth loaded as afores<sup>d</sup> whereof the s<sup>d</sup> Jacob Chubb was master, with all her Cargo, sailes Cables &c trading to & from France under the Protection of the f<sup>r</sup>ench King, contrary to the Comission & Instructions thereunto annexed, Proclamations laws statutes & ordinances afores<sup>d</sup>, and the s<sup>d</sup>. Cap<sup>t</sup>. Cyprian Southack hath brought s<sup>d</sup>. Ship into this Port [244]

for Condemnation thereof as the Law directs and desires the advice of this Court in the premisses and due process in the Law, and the Judgem<sup>t</sup>. sentence & decree of this Court for Condemnāōn and Confis- cation of s<sup>d</sup>. Cargoe & the ship William with all her gufts, rigging tackle &c to the s<sup>d</sup>. Cyprian Southack & company as a free & lawfull Prize according to the afores<sup>d</sup>. Comission & Instructions, statutes & Ordinances in that case made & provided.

The Court upon several Considerations & difficulties in this Case refer the same to be tryed & determined by the High Court of Admiralty of England.

Cap<sup>no</sup>. Cyprian Southack Comānder of the ship Porcupine by his libell and Information exhibited unto this Court, Giveing the Court to understand & be informed, that in pursuance of a Comission given by the Lords Com<sup>rs</sup>. for Executing the office of Lord High Admirall of England &c bearing date the 16<sup>th</sup> day of July Anno 1689 in the first year of the Reign of our Sovereigne Lord & Lady William & Mary now King & Queen over England &c And Instructions thereunto annexed for the takeing & seizing any Merchant ship or ships belonging to f<sup>r</sup>ance or ship or ships of any dominion under the f<sup>r</sup>ench Power or any ship or ships trading to or from France, or any f<sup>r</sup>ench Dominion, not haveing their Ma<sup>ties</sup>. Pass, or by their Ma<sup>ties</sup>. Power, and to bring such ship or ships into any Port or Ports within their Ma<sup>ties</sup>. William & Mary's sover- aignty or of their f<sup>r</sup>iends or Allies to be proceeded ag<sup>t</sup>. as suspected Prizes, And whereas further Cap<sup>t</sup>. Cyprian Southack in s<sup>d</sup>. Libell gives this Court to understand & be informed, That the ship Richard of Boston

afores<sup>d</sup>. Burthen One Hundred & Forty Tunns whereof William Harris was late master belonging to the Subjects of King William & Queen Mary bound from New England to London was by the ffrench King's Subjects taken from s<sup>d</sup>. William Harris about the month of June or July in the yeare 1689, and carryed into S<sup>t</sup>. Malo in ffrance, and there made a Prize, and ffurther, That Frederick Clutterbuck of the City of London Merchant in S<sup>t</sup>. Mallo afores<sup>d</sup>. bought s<sup>d</sup>. ship Richard, and all her appurtenances of the s<sup>d</sup> ffrench Kings Subjects or Allies, and in & upon s<sup>d</sup>. ship Richard in s<sup>d</sup> Port of S<sup>t</sup>. Mallo afores<sup>d</sup>. a Considerable Cargoe of Goods of the Growth, Production & manufacture of the Kingdom of ffrance s<sup>d</sup>. Clutterbuck did lade & ship, viz<sup>t</sup>. ffrench Brandy, French wine, ffrench Canvas & lines and French Provisions which he there bought of the ffrench Kings Subjects And with the s<sup>d</sup>. ship Richard now called the ffrederick & his cargoe of French Goods & Provisions, under the ffrench Kings Protection & Pass (one Caleb Barnes being master) did saile directly from the Port of S<sup>t</sup>. Malo in Franceto Bonavis \* Road in Newfoundland one of their Ma<sup>ties</sup>. King William & Queen Mary's Plantations in Newfoundland did there sell & dispose of their cargoe of ffrench Goods not having landed the same in England Wales or Berwick, nor haveing any cleering Pass or Protection from their Maj<sup>ties</sup>. or any of their Officers in England Wales or Berwick, which is contrary to the Express Com<sup>mand</sup> of their Ma<sup>ties</sup>. in the Proclamation of warr which expressly forbids all their Ma<sup>ties</sup>. Subjects to hold any correspondence or Combination with the ffrench King or his subjects and [245]

contrary to severall other laws & orders in that behalfe made & Provided And the s<sup>d</sup> Cap<sup>t</sup> Cyprian Southack by vertue of his Comission, and according to the Instructions thereunto annexed hath legally seized the s<sup>d</sup> ship Richard otherwise called the ffrederick, with all her Guns, Am<sup>unition</sup>, Tackle Fur[n]iture and apparel, and her loading, and brought them into this their Ma<sup>ties</sup>. Port of Boston to be proceeded with according to law, Praying the Advice of this Court &c. as in the s<sup>d</sup> libell is set forth. Issue is joyned, for Breach of their Ma<sup>ties</sup>. Proclamation of Warr

Upon hearing the several Pleas and Allegations of both Parties, Nothing appearing That the ship had any ffrench Goods on board at the time of seizing her, but being laden with ffish./

The Court adjudge declare & decree for the defend<sup>t</sup>. (That is to say) That the s<sup>d</sup> ship Richard ats Frederick with all her

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\* Bonavista?

guſſs Affūnicōn Tackle, Apparel, Furniture, and lading of Fiſh be released from the s<sup>d</sup> seizure and delivered unto the s<sup>d</sup> Frederick Clutterbuck.

Henry Toltwood of Newberry Indicted by the Jurors for our Sovereign Lord and Lady the King & Queen, upon their Oaths, ffor that the s<sup>d</sup>. Henry Toltwood on the thirteenth day of the month of August in the yeare 1690 in the second year of their Ma<sup>ties</sup>. Reigne at a certain Place called Rowley woods in the Massachusetts, w<sup>th</sup>. fforce & armes in & upon Elizabeth Horsely of Rowley afores<sup>d</sup> in the Colony afores<sup>d</sup> a Maid of the Age of Eighteen yeares then & there in the Peace of God & the King & Queen being did make an Assault, and ag<sup>t</sup>. the will of the s<sup>d</sup>. Elizabeth Horsly ffelloniously did Ravish & carnally know, Against the Peace of o<sup>r</sup>. sovraigne Lord & Lady the King & Queen, and contrary to the laws of England & of this Colony in that Case made & provided. On s<sup>d</sup> Indictment was arraigned, pleaded not guilty, put himselfe upon Tryall, by God & the Country. The Jurors upon their Oathes say, That s<sup>d</sup> Henry Toltwood is not guilty according to Indictment.

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Grand Jury

Mr. John Dossett  
Arthur Mason  
Thomas Bligh  
Jeremiah Fitch  
Isaac Jones  
John Bird  
Samuel Gookin  
Samuel Gore  
Benjn. Tucker  
Solomon Phipps  
John Call  
John Warren senr.  
Thomas Flegg junr.

At a Court of Assistants holden at Boston March  
3<sup>d</sup>. 1690/1

Present.

The Hon<sup>ble</sup>. Simon Bradstreet Esq<sup>r</sup>. Gov<sup>r</sup>.  
Thomas Danforth Esq<sup>r</sup>. Deputy Gov<sup>r</sup>.

Wait Winthrop	} Esq <sup>rs</sup> Assist <sup>rs</sup> .	James Russell	} Esq <sup>rs</sup> . Assist <sup>rs</sup> .
William Johnson		Samuel Appleton	
Elisha Hutchinson		Samuel Sewall	
Isaac Addington		John Smith	
Jonath <sup>n</sup> . Corwin			

WILLIAM BOLDESON of Boston  
Adm<sup>r</sup> of the estate of THOMAS  
THURTON late of Boston dec<sup>d</sup>. Pl<sup>t</sup>.

Jury of Tryalls  
Mr John Gardner  
John Cotta  
John Blake  
David Jones  
Sam<sup>l</sup>. Oldham  
John Squire  
James Draper  
John Davis  
John George

1. Jury vers.

WILLIAM COLMAN of s<sup>d</sup> Boston def<sup>t</sup>.

On Appeale from  
the County Court  
held in Boston  
Octob<sup>r</sup>. 28, 1690,

where the defend<sup>t</sup>. sued the Appell<sup>t</sup>. in an Action of  
the case for non paym<sup>t</sup>. of three pounds fifteen shil-  
lings & five pence money due for severals deliv<sup>rd</sup>. s<sup>d</sup>

Thurtons wife in the month of November 1688 &c and recovered Judgem<sup>t</sup>. Twenty two shillings 6<sup>d</sup> money & costs. The Reasons of Appeal & Evidences in the Case being read & pleas made, The Case was comitted to the Jury, The Jury find for the defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. twenty two shillings six pence & two pound twelve shillings & eleven pence more in money & costs of Courts.

Samuel Lord  
Samuel Blunt  
Isaac How

2 Jury

Elizur Holloke  
William Downe  
Nath<sup>l</sup>. Glover  
Desire Clapp  
John Sharp  
Isaac Morris  
Isaac Newell  
Samuel Douse  
Samuel Kettle  
Philip Shattock  
Richard Child  
Sam<sup>l</sup>. Gaskill

ELIZABETH LOFT, Ex<sup>ra</sup>. of Rich<sup>d</sup>  
Loft dec<sup>d</sup> Pl<sup>t</sup>.

1. Jury vers.

NATHANAEL OLIVER of Boston  
Merch<sup>t</sup>. def<sup>t</sup>.

On Appeale from  
the County Court  
held at Boston

Jan'y 27. 169<sup>o</sup>/<sub>1</sub>

where the Appell<sup>t</sup>. sued y<sup>e</sup> def<sup>t</sup>. in an action of debt of six pounds two shillings money due for Malt & was cast costs of Court. The parties Joyned issue The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences were read & comitted to the Jury The Jury find for the Appel<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. and six pounds two shillings in money damages and Costs of Courts

S<sup>r</sup>. WILLIAM PHIPPS late Comander of the ffrigott  
the Golden Rose Appel<sup>t</sup>.

vers.

ROBERT BRONSDON of Boston merch<sup>t</sup>. def<sup>t</sup>.

On Appeal from  
the County Court  
held at Boston

Jan'y 27. 169<sup>o</sup>/<sub>1</sub> where the s<sup>d</sup> Rob<sup>t</sup>. Bronsdon sued the Appell<sup>t</sup>. for deteining severall summs mentioned in three severall Bills viz<sup>t</sup> Tho: Cloft, Henry Gabrick, John Bloar, George Wright & Edw<sup>d</sup>. Nayler & the Appell<sup>t</sup>. cast twenty five pounds seventeen shillings six pence money & costs. The Reasons of Appeal & evidences of the Case being read and pleas made the Case was comitted to the Jury. The Jury returned their Verdict. They find for y<sup>e</sup> Appel<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. and Costs of Courts.

S<sup>r</sup>. WILLIAM PHIPPS KN<sup>t</sup>. als W<sup>m</sup>. Phipps late  
comander of y<sup>e</sup> ffrigot Golden Rose Appel<sup>t</sup>.

vers.

ROBERT BRONSDEN of Boston Merch<sup>t</sup>. def<sup>t</sup>.

On Appeal from  
the County Court  
holden at Boston  
Jan'y 27 169<sup>o</sup>/<sub>1</sub>

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Where the Appell<sup>t</sup> was sued in an Action of Debt of One hundred <sup>l</sup> in mony due by one Obligation under the Appel<sup>ts</sup>. hand & seale dated 15<sup>th</sup>. decemb<sup>r</sup>. 1683. and was cast to pay one hundred pounds penalty of the bond & costs from w<sup>ch</sup> he appealed. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in y<sup>e</sup> case being read were comitted to y<sup>e</sup> Jury. The Jury find for the Appel<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Courts.

S<sup>r</sup>. WILLIAM PHIPPS, otherwise Cap<sup>t</sup>. W<sup>m</sup>.  
Phipps late comander of y<sup>e</sup> frigot Golden  
Rose Appel<sup>t</sup>.

vers.

ROBERT BRONSDON of Boston merch<sup>t</sup>. defend<sup>t</sup>.

On Appeal from the  
County Court holden  
at Boston 27<sup>th</sup> of Jan.

uary 1690<sup>o</sup>/1 where the Appel<sup>t</sup>. was sued by the s<sup>d</sup> Rob<sup>t</sup>. Bronsdon in an action of Debt for non paym<sup>t</sup>. of two hundred pounds due by vertue of an obligation bearing date 11<sup>th</sup>. Jan'y 1683, and was cast two hundred pounds penalty of the bond & Costs, from w<sup>ch</sup>. Judgem<sup>t</sup>. he appealed. The Courts Judgem<sup>t</sup>. Reasons of Appeale & Evidences in the Case being read were committed to the Jury, The Jury returned their Verdict, They find for the Appel<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Courts.

THOMAS BULKLEY of Boston Merch<sup>t</sup>. Appel<sup>t</sup>.

vers.

NATHANIEL THAYRE & JOSEPH PARSON<sup>s</sup> both  
of Boston Merch<sup>ts</sup> defend<sup>ts</sup>.

On Appeal from the  
County Court held in  
Boston October 1690,  
where the s<sup>d</sup> Thayre

& Parsons sued the Appel<sup>t</sup>. for a true Acco<sup>t</sup>. of goods & Merchandize with y<sup>e</sup> effects as sold at Providence s<sup>d</sup> Goods being loaden on board Ship Concord Gregory Sugars Comander &c and the Appel<sup>t</sup>. was cast to give a just & true Acco<sup>t</sup>. of s<sup>d</sup> Goods & merchandize within thirty dayes or pay One hundred & six pounds seven shillings & foure pence money &c The Reasons of Appeal & Evidences in the Case were read & comitted to y<sup>e</sup> Jury. The Jury find for y<sup>e</sup> defend<sup>ts</sup> Confirmation of the former Judgem<sup>t</sup>. & costs of Courts.

PETER TOPPAM of Newbery appel<sup>t</sup>.

vers

JACOB TOPPAM of s<sup>d</sup> Newbery defend<sup>t</sup>.

The Appel<sup>t</sup>. & defend<sup>t</sup>.  
made an Agreem<sup>t</sup>. under

hand & seal as a finall issue between them and desired liberty of the Court to withdraw their Action w<sup>ch</sup>. was granted

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STEPHEN SMALL of Salem Appel<sup>t</sup>.

vers

JOHN BULLOCK . . . defend<sup>t</sup>.

} On appeale from the County Court of Salem 25<sup>th</sup>. 9<sup>ber</sup>.

1690 which Judgem<sup>t</sup>. was for s<sup>d</sup> Bullock the land in controversy & costs The reasons of Appeal & evidences in y<sup>e</sup> case were read & co<sup>m</sup>mitted to the Jury, The Jury find for the def<sup>t</sup>. Confirmation of y<sup>e</sup> former Judgem<sup>t</sup>. & costs of Courts.

THOMAS SMITH of Boston blacksmith Pl<sup>t</sup>.

vers.

GEORGE HISKETT of Boston Marr<sup>r</sup>. defend<sup>t</sup>.

} On Appeal from the County Court held in

Boston October 28. 1690, at w<sup>ch</sup>. Court Judgem<sup>t</sup>. was for the s<sup>d</sup>. Hisket Eight pounds twelve shillings six pence & to secure him from Tho: Roberts & to give him a deed of sale for one quarter part of the ship built by s<sup>d</sup>. Roberts &c within ten dayes or to pay to y<sup>e</sup> s<sup>d</sup> Hisket one hundred & forty pounds money & costs

The Courts Judgem<sup>t</sup>. Reasons of Appeal & evidences in the case being read were co<sup>m</sup>mitted to y<sup>e</sup> Jury. The Jury find for y<sup>e</sup> Pl<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Courts. Execution issued May 27, 1691.

PALTY DORRELL widow & Martha Bent, Pl<sup>t</sup>.

vers

JOHN FOSTER & Abigail his wife &c def<sup>ts</sup>.

} On Appeal from the County Court held at Boston 27 Janry 1690/1 where Judgem<sup>t</sup>. was for the s<sup>d</sup> ffoster &c Possession of

the house & land sued for & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal & evidences in the case being read, The Case was co<sup>m</sup>mitted to the Jury. The Jury find for the Appel<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. and Costs of Courts.

JOHN BIGG of Boston merch<sup>t</sup>. Pl<sup>t</sup>.

vers.

THOMAS HARWOOD & Rachell his wife def<sup>t</sup>.

} On Appeal from the County Co<sup>rt</sup>. holden in Boston October 28<sup>th</sup>. 1690 where s<sup>d</sup>. Harwood & Rachell his wife sued the Appel<sup>t</sup>. for refuse-

ing to give possession of a certain Messuage or Tenem<sup>t</sup>. in Boston belonging to s<sup>d</sup> Tho: Harwood and Rachel his wife in right of s<sup>d</sup> Rachel &c where Judgem<sup>t</sup> was for Possession of y<sup>e</sup> Messuage or Tenem<sup>t</sup>. sued for & costs. The Reasons of Appeal, answers & evidences in the case being read were comitted to the Jury. The Jury find for the Appel<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & Costs of Courts.

NICOLAS TIPPET of Boston merch <sup>t</sup> . Appel <sup>t</sup> .	}	On Appeal from y <sup>e</sup> County Court
vers.		
S <sup>r</sup> . TIMOTHY THORNHILL of Barbados Barr <sup>t</sup> . def <sup>t</sup>		

holden in Boston 27<sup>th</sup> Jan'y. 1690<sup>1</sup>, where Judgem<sup>t</sup>. was for s<sup>d</sup> Thornhill fourteen hh<sup>d</sup> & sixteen Tearces of Muscovado sugar & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal & evidences in the Case were read & comitted to the Jury. The Jury find for the def<sup>t</sup>. confirmation of y<sup>e</sup> former Judgem<sup>t</sup>. & costs of Court.

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JOHN BLANEY sen <sup>r</sup> of Salem Pl <sup>t</sup> .	}	On Appeal from the County Court held at Salem 25 <sup>th</sup> . 9 <sup>th</sup> : 1690 where Judgem <sup>t</sup> . was, s <sup>d</sup> W <sup>m</sup> . Dunton the pl <sup>t</sup> . sixteen pounds, two shillings in money & costs. The Reasons of Appeal & evidences in the Case being read, were comitted to y <sup>e</sup> Jury The Jury find for the defend <sup>t</sup> . Confirmation of the former Judgem <sup>t</sup> . and costs of Courts./ upon the motion of m <sup>r</sup> Christopher Webb y <sup>e</sup> Appel <sup>t</sup> . Attorney the Execution is respited.
vers.		
WILLIAM DUNTON of Salem Goalkeep <sup>r</sup> def <sup>t</sup>		

JAMES ADLINGTON of Boston Marrin <sup>r</sup> . Pl <sup>t</sup> .	}	On Appeal from the Judgm <sup>t</sup> . of the County Court holden at Boston October 28. 1690. where Judgem <sup>t</sup> . was for s <sup>d</sup> fernes Ninety three pounds money & costs. The Reasons of Appeal & Evidences in the Case being read & comitted to y <sup>e</sup> Jury. The Jury find for the Defend <sup>t</sup> . Confirmation of the former Judgem <sup>t</sup> . & costs of Court.
vers.		
ANN FERNES widow & Adm <sup>r</sup> . of Peter fernes def <sup>t</sup> .		



PHILIP ENGLISH of Salem Merch'. Pl'.  
 vers.  
 PHILIP CROMWELL of s<sup>d</sup> Salem defend'. } On Appeal from the County  
 Court at Ipswich Sep<sup>r</sup>.  
 30<sup>th</sup>. 1690, where Judgem<sup>t</sup>. was for the def<sup>t</sup>. cromwell costs of Court.

The Reasons of Appeal Answers and Evidences in the case being read were committed to the Jury. The Jury returned their Verdict viz<sup>t</sup>. They find for y<sup>e</sup> def<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. and costs of Courts.

SAMUEL HEMLOCK of Boston Mar<sup>r</sup>. Pl'.  
 vers.  
 GEORGE MOUNTJOY of s<sup>d</sup> Boston Mar<sup>r</sup>. def<sup>t</sup>. } On Appeal from y<sup>e</sup> County  
 Court holden at Boston  
 28<sup>th</sup> October 1690 where Judgem<sup>t</sup>. was for the Pl<sup>t</sup>. Mountjoy, Forty  
 Pounds money & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal  
 & Evidences in the case were read & comitted to the Jury. The Jury  
 find for the def<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. & costs of Court.

JONAS CLAY of Boston mar<sup>r</sup>. Pl'.  
 vers.  
 NATHAN<sup>LL</sup>. JEWELL of Boston mar<sup>r</sup> def<sup>t</sup>. } On Appeal from the Judge-  
 m<sup>t</sup>. of the County Court  
 held at Boston October 28<sup>th</sup>. 1690 where Judgem<sup>t</sup>. was for s<sup>d</sup> Jewell  
 Three Pounds twelve shillings & nine pence money & costs. The  
 Reasons of Appeal & Evidences in the case being read were comitted  
 to y<sup>e</sup> Jury. The Jury find for the appellant, Reversion of the former  
 Judgem<sup>t</sup>. & costs of Courts.

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THOMAS CLARKE of Boston Pl<sup>t</sup>.  
 vers.  
 SETH WYMAN of Woobourn def<sup>t</sup>. } On Appeal from y<sup>e</sup> County Court  
 held at Boston Octob<sup>r</sup>. 28. 1690  
 where Judgem<sup>t</sup>. was for the Pl<sup>t</sup>. Thomas Clark Ten hundred weight of  
 good merchantable hopps according to Bill or twenty pounds in money  
 in ten dayes & costs. The Reasons of Appeal and Evidences were read  
 & comitted to y<sup>e</sup> Jury. The Jury find for the def<sup>t</sup> Reversion of the  
 former Judgem<sup>t</sup>. & costs of Court.

THOMAS EYRE of Boston Marrin<sup>r</sup> Pl<sup>t</sup>.  
vers  
JOHN EYRE of Boston Merch<sup>t</sup>. def.

**The Appell<sup>t</sup>. withdrew.**

The Court being informed that Samuel Newton of Marlborough did sometime since marry with Rebekah his late Unkle Isaac Newton's widow (by whom she hath issue one Daughter), and hath lived w<sup>th</sup> her as his wife by whom he hath had two children. The s<sup>d</sup> Parties both appearing and confessing the truth of what is above written. Upon consideration thereof, The Court do Judge the s<sup>d</sup>. Persons at the time of s<sup>d</sup> Marriage to have stood within the line of Affinity forbidden Marriage by the word of God, as also by the Law of England and their living together incestuous, And therefore forbid the s<sup>d</sup> Persons any Cohabitation or fellowship together as man & wife for the future, under the severest penalty.

Mary Stebbins, wife of Samuel Stebbins of North hampton complaining to this Court, That her s<sup>d</sup> husband Sam<sup>l</sup>. Stebbins dureing the time of their marriage hath committed Fornication with divers other women by whom he hath had several Bastard children, and now for some yeares past hath withdrawn himselfe from the fellowship & cohabitation with her s<sup>d</sup>. Mary; Praying that she may obtain a Bill of Divorce; It's Ordered that a Notification of the s<sup>d</sup>. compl<sup>t</sup>. & Petition be sent unto the s<sup>d</sup>. Samuel Stebbins, with the time appointed for hearing the same at the adjournm<sup>t</sup>. of this Court April 16, 1691. That so he may have oppertunity then to appear, and shew cause (if any he have) why the s<sup>d</sup>. Mary should not have her Peticōn in y<sup>t</sup>. behalfe granted.

m<sup>r</sup>. Samuel Gookin was by the Court of Assistants appointed Marshall General for the time & untill further order by the Gen<sup>l</sup> Court and tooke his Oath in open Court.

The Court adjourned to 17<sup>th</sup>. March 169<sup>o</sup>/<sub>1</sub>

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Jahleel Brenton Genl collector surveyor & searcher of their Ma<sup>ties</sup>.  
Customs in New England who as well for their Ma<sup>ties</sup>. as for Simon

Bradstreet Esq<sup>r</sup>. Govern<sup>r</sup>. of their Majesties Colony in New England as for himself coming into the Court of our s<sup>d</sup>. Sovereigne Lord & Lady the King & Queen afores<sup>d</sup>.

Giveing s<sup>d</sup>. Court to know & be informed. That whereas there is one Act of Parliament made in the ffifteenth yeare of the Reign of King Charls the second over England &c<sup>a</sup>. Entituled An Act for the Encouragem<sup>t</sup>. of Trade; in which Act among other things it is Enacted. That from & after the five & Twentieth day of March, one thousand six hundred sixty foure No Comodities of the Growth, Production or Manufacture of Europe shall be imported into any Land, Island, Plantacōn, Colony Territory or Place to his Ma<sup>ty</sup>. belonging, or which shall hereafter belong unto or be in the Possession of his Maj<sup>ty</sup>. his heires or Successor's in Asia, Africa or America (Tangier only Excepted) but what shall be bonâ fide & without Fraud laden & shipped in England Wales or Towne of Berwick upon Tweed, and in English built Shipping, or which were bonâ fide bought before the first day of October, one thousand six hundred sixty two, and had such certificate thereof as is directed in one Act of this present Parliament entituled an Act for preventing ffraud & regulateing abuses in their Ma<sup>ty</sup>. Customes, & whereof the master & three fourths of the Marrin's at least are English

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And which shall be carryed directly thence to the s<sup>d</sup>. Lands Islands Plantations Colonies Territories or Places, and from no other Place whatsoever by land or water, And if by water of the ship or vessell in which they were imported with all her guns, tackle furniture amuni- tion & apparel, One third to his Ma<sup>ty</sup>. his heires & successo<sup>r</sup>. One third part to the Govern<sup>r</sup>. of such land Island Plantation Colony, Territory or Place into which such goods were imported, If y<sup>e</sup> s<sup>d</sup>. ship Vessell or goods be there seized or Informed ag<sup>t</sup>. & sued for, otherwise that third also to his Ma<sup>ty</sup>. his heires & successo<sup>r</sup>.s and the other third part to him or them who shall seize inform or sue for the same; in any of his Ma<sup>ty</sup>. Courts, in such of the s<sup>d</sup> lands, Islands Colonies, Plantations, Territories or Places where the offence was comitted, or in any Court of Record in England by Bill Information, plaint or other Action, wherein no Essoyn, Protection or wager in law shall be admitted.

And ffurther the s<sup>d</sup>. Jahleel Brenton Giving s<sup>d</sup>. Court to know & be informed that Nicolas Lawrence master of the Katch Salisbury, the Paines & penalties of the fore recited Act not regarding, did on or about the ninth day of February in the year of our Lord One Thousand

six hundred & ninety in the second year of their Ma<sup>ties</sup>. Reign import in the Katch Salisbury into Boston aforesaid a Colony or Place belonging to their s<sup>d</sup>. Maj<sup>ties</sup>. in New England several Goods & Merchandizes of the Growth, Production or manufacture of Europe, which was not bonâ fide & without fraud laden & shipped in England Wales or Towne of Berwick upon <sup>A</sup>, The goods imported are as followeth, One chest containing Twelve peices of Kersey, sixteen peices of worsted stuffs, foure peices of silk crape, twenty peices of Scottish cloth seventeen Papers of Buttons, two peices of Friez, one peice of white & one peice of Red Bayes, one peice of course striped stuff, Two Bailes containing sundry peices of Fustians or demitys. One Baile containing twelve peices peices\* of white & foure peices of browne linnen, one small Baile containing twelve peices of Hamborough linnen q<sup>t</sup>. 449½ Ells — In a Rugg is contained seven broad peices & foure peices & an halfe of Ticking, One bag of Haberdashery — Forty Barreles of powder, ffive hh<sup>ds</sup>. of Nails — one smal bundle containing four peices of silk crape, six peices of worsted stuffs, Three papers of Buttons, which goods & merchandize are justly become forfeited, as also the Katch Salisbury with all her Guns, Ammunition, furniture & apparel, one third part to their Ma<sup>ties</sup>. one third part to Simon Bradstreet Gov<sup>r</sup>. and the other third part to Jahleel Brenton as afores<sup>d</sup> who sues for the same praying the advice of the Court & Judgement accordingly.

Nicolas Lawrence master of y<sup>e</sup> s<sup>d</sup> Katch Salisbury comes into Court the day & year above-written, and to the matter of y<sup>e</sup> Information pleads, Not guilty; Issue is thereupon joyned, And after a full hearing of y<sup>e</sup> Pleas & Evidences offered by Each party. The Jurors upon their oaths say. They find for the Pl<sup>t</sup>. The Forfeiture of the Goods & Katch Salisbury according to Information, The Court receiv[e] and record their Verdict, and enter up Judgem<sup>t</sup>. accordingly./

Nicolas Lawrence afores<sup>d</sup> appealed from this Judgem<sup>t</sup>. unto the Lords Com<sup>missio</sup><sup>n</sup>. of the High Court of Admiralty of Engl<sup>d</sup>. w<sup>ch</sup>. was granted, and himsele as Principal and Col<sup>l</sup>. Nicolas Paige as surety bind themselves their heires Ex<sup>n</sup> & Adm<sup>n</sup> jointly & severally in y<sup>e</sup> sum of ffive hundred pounds curr<sup>t</sup>. money of New-Engl<sup>d</sup> to their Ma<sup>ties</sup>. King William & Queen Mary & to the parties concerned, on Condition s<sup>d</sup> Nicolas Lawrence shall prosecute his Appeal before y<sup>e</sup> Lords Com<sup>missio</sup><sup>n</sup> with Effect and shall pay all such costs & damages as shall by s<sup>d</sup> com<sup>missio</sup><sup>n</sup> <sup>A</sup> awarded ag<sup>t</sup> them

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\* Repeated in the record.

[253]

At a Court of Assistants holden in Boston September 22<sup>th</sup>. 1691 by Adjournment from the first day of s<sup>d</sup>. September./

Present.

Simon Bradstreet Esq<sup>r</sup>. Govern<sup>r</sup>.

James Russell	{ Esq <sup>r</sup> . Assist <sup>ts</sup> .	William Stoughton	{ Esq <sup>r</sup> . Assist <sup>ts</sup> .
William Johnson		ton	
John Hathorn		Samuel Appleton	
Elisha Hutchinson		Samuel Sewall	
John Phillips		Isaac Addington	

EDWARD NEELAND sen <sup>r</sup> Husbandm Pl <sup>t</sup> .	{ On Appeal from the County
vers	
ISAAC FOSTER sen <sup>r</sup> . . . . defend <sup>t</sup> .	

Court held at Salem June 30<sup>th</sup>. 1691, where the s<sup>d</sup> Foster recovered Judgem<sup>t</sup>. the land in controversy & costs The Courts Judgem<sup>t</sup>. Reasons of Appeal & evidences in the case being read & committed to the Jury. The Jury find for the defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. & costs of Courts.

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Grand Jury sworn

Capt. Edw<sup>d</sup> Wyllie  
forem<sup>o</sup>  
James Green  
Thomas Downe  
Robert Bronsdon  
Seth Perry  
Edward Dorr  
John Capen  
Thomas Tilestone  
Samuel Ballard  
John Knight  
Samuel Stone  
John Tidd  
John Whitney

JOHN PAUL of Lynn . . Pl <sup>t</sup> .	{ On Appeal from the County Court held at Salem
vers	
TIEG A BARROW of Boston def <sup>t</sup> .	

June 30<sup>th</sup>. 1691. where Judgement was for y<sup>e</sup> Pl<sup>t</sup>. Tieg A Barrow the land in controversy & costs. The Courts Judgm<sup>t</sup>. Reasons of Appeal & Evidences in the <sup>^</sup> were read & committed to y<sup>e</sup> Jury The Jury find for the defend<sup>t</sup>. Confirmation of y<sup>e</sup> former Judgem<sup>t</sup>. & costs of Courts.

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Jury of Tryalls  
sworn

Cap<sup>t</sup>. Rich<sup>d</sup> Crisp  
forem<sup>o</sup>.  
Edward Crick  
Thomas Davis  
Thomas Stanbury  
John Scott  
Joseph Leeds  
John Capen jun<sup>r</sup>.  
John Watkins  
Nathan<sup>l</sup>. Adams  
Abraham Hill  
William Russell  
Thomas J. Ammond

JOHN CLARK . . Pl <sup>t</sup> .	{ The pl <sup>t</sup> . <sup>^</sup>
vers	
ABIEL LAMB def <sup>t</sup> .	

JOHN BURNAM jun <sup>r</sup> of Chebacco of Ipswich Appel <sup>t</sup> .	{ On Appeal from y <sup>e</sup> Judgm <sup>t</sup> . of the County Court holden at Salem
vers.	
ROBERT CROSS sen <sup>r</sup> . of Chebacco of Ipswich defend <sup>t</sup> .	

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2 Jury of Tryalls  
sworn

mr Caleb Church  
forem<sup>o</sup>.  
George Ellistone

Josiah Holland  
William Chaplin  
Ephraim Pason  
William Pratt  
Nicolas Lobdell  
Joseph Simons  
Samuel Gibson  
Bartholomew Green  
Sam<sup>l</sup>. Herrington  
John Hastings.

30<sup>th</sup> June 1691 In an Action of the Case, for that s<sup>d</sup>. John Burnam as a Trespasser for several late yeares improved a certain parcel of salt marsh of s<sup>d</sup>. Crosses conteining by Estimation neer Thirty Acres lying at Chebacco afores<sup>d</sup> & still keeps the pl<sup>t</sup>. out of poses- sion to his damage one hundred pounds money accord- ing to attachm<sup>t</sup>. dated 12<sup>o</sup>. June 1691. at w<sup>ch</sup>. Court the Jury found for y<sup>e</sup> pl<sup>t</sup>. the land in controversy &c from w<sup>ch</sup>. the defend<sup>t</sup>. appealed The Attachm<sup>t</sup>. Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in y<sup>e</sup> Case being read comitted to y<sup>e</sup> Jury & are on file w<sup>ch</sup>. the Records of this Court, The Jury returned their verdict thereon viz<sup>t</sup>. [254]

They find for the Appellant, Reversion of the former Judgem<sup>t</sup> & costs of Courts.

JOSEPH MASON of Watertown Appel<sup>t</sup>.  
vers.

JOHN STONE &c<sup>a</sup>. selectmen of Water-  
town def<sup>ts</sup>.

} On Appeal from the Judgem<sup>t</sup>.  
of the County Court held at  
Cambridge April 7<sup>th</sup>. 1691,  
where s<sup>d</sup> selectmen sued the

Appell<sup>t</sup>. in an Action of the Case for neglecting Gathering the Rates made for the use of the Towne & comitted to s<sup>d</sup> Mason to collect & levy as p<sup>p</sup> Attachm<sup>t</sup> on file bearing date March 21. 1691 where the Jury found for y<sup>e</sup> Jury found for\* y<sup>e</sup> pl<sup>ts</sup>. Fifty five pounds Eight shillings eleven pence mony & costs from w<sup>ch</sup>. Judgem<sup>t</sup>. the def<sup>t</sup>. appealed. The Courts Judgem<sup>t</sup>. Reasons of Appeal, Answer & evi- dences in the Case being read & pleas by both parties made, the case was comitted to y<sup>e</sup> Jury. The Jury returned their Verdict thereon viz<sup>t</sup>. They find for y<sup>e</sup> Appel<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Courts.

REBEKAH STEBBINS of Boston widow Pl<sup>t</sup>.

vers.

PHILIP ENGLISH of Salem defend<sup>t</sup>.

} On a scire facias on a  
Judgm<sup>t</sup>. of the County  
Court holden at Boston

November 19<sup>th</sup>. 1689 & confirmed by the Court of Assist<sup>ts</sup>. April 8<sup>th</sup>. 1690 where s<sup>d</sup> Stebbins recovered Judgem<sup>t</sup>. for the delivery of a boat & appurtenances in ten dayes and three pound in money damage or in default thereof to pay Twenty pounds in money & costs. The defend<sup>t</sup>.

\* Repeated in the record.

pleaded he had a legall tender of s<sup>d</sup> Boat according to Judgem<sup>t</sup>. which issue was comitted w<sup>th</sup>. the evidences to the Jury. The Jury returned their verdict. They do not find a legall tender. The Court determine and give Judgem<sup>t</sup>. for seventeene pounds being the remaining part of the Judgement & costs.

BENJAMIN WALKER of Boston Merch<sup>t</sup> Pl<sup>t</sup>.

vers

JAMES HAWKINS of s<sup>d</sup>. Boston Bricklayer def<sup>t</sup>.

} On Appeal from the County Court held in Boston July 18<sup>th</sup>. 1691, where the Appell<sup>t</sup>. sued s<sup>d</sup>. Hawkins for not paying y<sup>e</sup> pl<sup>t</sup>. five pounds ten shillings money due by Agreem<sup>t</sup>. & promise &c w<sup>th</sup>. Judgem<sup>t</sup>. was for the defend<sup>t</sup>. costs of Court. The Reasons of Appeal and evidences in the Case were read & comitted to y<sup>e</sup> Jury. The Jury find for the Appell<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. and five pounds & ten shillings in money damages & costs of Courts Execution issued Oct 6. 1691

WILLIAM WARREN of Boston Appel<sup>t</sup>.

vers

ELLIS CALLENDER of Boston def<sup>t</sup>.

} On Appeal from the Commis-  
sion<sup>n</sup> Court holden at Boston July. 14<sup>th</sup>. 1691 where s<sup>d</sup> Calender had Judgem<sup>t</sup>. Ten bushells of salt & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal and Evidences in the case were read & comitted to the Jury. The Jury find for the Appellant Reversion of the former Judgm<sup>t</sup>. & costs of Courts.

AMOS MARRETT Pl<sup>t</sup>.

vers.

JAMES HOLLAND defend<sup>t</sup>.

} On Appeal from the County Court held at Charltowne June. 19<sup>th</sup>. 1691 by adjournm<sup>t</sup>. where s<sup>d</sup> Holland obtained Judgem<sup>t</sup>. fifty shillings money or the Mare in controversy. The Reasons of Appeal & evidences in the case were read & comitted to y<sup>e</sup> Jury The Jury find for y<sup>e</sup> defend<sup>t</sup>. confirmation of y<sup>e</sup> former Judgem<sup>t</sup>. fifty shillings mony damage & costs of Courts Execution issued october 5, 1691.

[255]

THOMAS DENNIS of Ipswich Pl<sup>t</sup>.

vers.

JOHN WAINWRIGHT of s<sup>d</sup>. Ipswich def<sup>t</sup>.

} On Appeal from the County Court holden at Ipswich March 31. 1691. where Judgem<sup>t</sup>. was for the s<sup>d</sup>. Wainwright Fifty shillings money damage &

costs &c      The Courts Judgm<sup>t</sup>. Reasons of Appeal & Evidences in the case were read comitted to y<sup>e</sup> Jury The Jury find for the Defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. & costs of Courts.

Cap <sup>t</sup> . STEPHEN CROSS of Ipswich Plantff.	}	On Appeal from the County Court held at Ipswich March 31 <sup>st</sup> . 1691. where the Judgem <sup>t</sup> . of Maj <sup>r</sup> Sam <sup>l</sup> . Appleton was confirmed. The Reasons of Appeal & Evidences in the case were read & comitted to the Jury, The Jury find for the Pl <sup>t</sup> . Reversion of the former Judgem <sup>t</sup> . & costs of Court.
vers. JOHN LOW Terti. Atto <sup>ny</sup> . to SAM <sup>l</sup> . YOUNG- LOVE, def <sup>t</sup>		

WILLIAM FAIRFIELD of Wenham Pl <sup>t</sup> .	}	On Appeal from the County Court held at Ipswich March. 31. 1691. in an action of Trespass where Judgem <sup>t</sup> . was for the defend <sup>t</sup> . costs of Court. The Courts Judgem <sup>t</sup> . Reasons of Appeal & Evidences in the Case being read & comitted to the Jury. The Jury find for the Appell <sup>t</sup> . Reversion of the former Judgem <sup>t</sup> . and Two shillings & nine pence money damage & costs of Courts.
vers. JOHN FAIRFIELD of Ipswich def <sup>t</sup> .		

PHILIP WHITE of Beaverly Pl <sup>t</sup> .	}	On Appeal from the County Court holden in Ipswich 31 <sup>st</sup> . March 1691. where the Jury found for y <sup>e</sup> defend <sup>t</sup> . costs. The Courts Judgem <sup>t</sup> . Reasons of Appeal & evidences in the Case were read & comitted to y <sup>e</sup> Jury. The Jury find for the Appell <sup>t</sup> . Reversion of the former Judgem <sup>t</sup> . and Twelve Pounds ten shillings damage the one Third money, the other two Thirds in Country pay & costs of Courts.
vers. GEORGE STANLEY of s <sup>d</sup> . Beaverley def <sup>t</sup> .		

COL <sup>l</sup> . NICOLAS PAIGE Attorney of Cap <sup>t</sup> . Andrew Dolbery appell <sup>t</sup> .	}	in an action of Appeal from the County Court holden in Ipswich, March 31, 1691. where the Appell <sup>t</sup> . was cast, the Jury finding for the pl <sup>t</sup> . the Hull or body of the ship in Controversy
vers. JACOB MORRELL of Salisbury shipwright, def <sup>t</sup> .		



or seven hundred pounds money damage & Costs of Court. The Courts Judgem<sup>t</sup>. Reasons of Appeal and Evidences in the case produced being read were committed to the Jury & are on file, The Jury returned their Verdict thereon, viz<sup>t</sup>. They find for the defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. six hundred & ninety pounds money & Costs of Court.

[256]

Cap<sup>t</sup>. EBENEZER PROUT Pl<sup>t</sup>.

vers.

CALEB BROOKS, ISAAC FOX & JOHN  
WHITMORE defend<sup>ts</sup>.

} On Appeal from the County  
Court held in Charlastowne  
June 19<sup>th</sup>. 1691. where the

Appel<sup>t</sup>. sued y<sup>e</sup> defend<sup>ts</sup>. for withholding from y<sup>e</sup> pl<sup>t</sup>. y<sup>e</sup> Possession of one Messuage or Tenem<sup>t</sup>. within y<sup>e</sup> bounds of Medford &c. And Judgem<sup>t</sup>. was for the defend<sup>ts</sup>. Costs of Court. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the case being read were committed to the Jury. The Jury find for ye defend<sup>ts</sup>. Confirmation of the former Judgem<sup>t</sup>. & costs of Courts.

GEORGE LASON Comander of y<sup>e</sup> Pink or Buss  
Two Brothers - - Pl<sup>t</sup>.

vers.

JAHLEEL BRENTON Gent Collect<sup>r</sup>. survey<sup>r</sup>. &c of  
their Ma<sup>ty</sup> Customs in New Engl<sup>d</sup> def<sup>t</sup>.

} On Appeal from y<sup>e</sup>  
County Court holden  
in Boston on 25<sup>th</sup>.  
Aug<sup>o</sup>. 1691 con-

tinued by Adjournm<sup>t</sup>. from 28<sup>th</sup> July foregoing, where the Appel<sup>t</sup>. was cast by the Jury upon the Act of y<sup>e</sup> 12<sup>o</sup>. Caroli secundi Regis entituled an Act for the encourageing & increasing of shipping \* Confiscation of the Pink or Buss Two Brothers & the Goods on board her. The County Courts Judgem<sup>t</sup>. Reasons of Appeal Information & Evidences in the Case produced ~~being produced~~ being read & Pleas made in the Case by both y<sup>e</sup> Appel<sup>t</sup>. & defend<sup>t</sup>. The Case was committed to y<sup>e</sup> Jury, who returned their Verdict thereon. viz<sup>t</sup>. They find for y<sup>e</sup> Appel<sup>t</sup>. The Reversion of y<sup>e</sup> former Judgm<sup>t</sup>. ag<sup>t</sup>. the Pink or Buss, Two Brothers. Jahleel Brenton Gent collect<sup>r</sup> &c appealed from this Judgem<sup>t</sup>. to their Maj<sup>ty</sup>. in Council w<sup>ch</sup>. was granted.

\* This space left blank in the record.

WILLIAM HALL who married Sarah ffowler of  
 Boston wine retailer Pl<sup>t</sup>.  
 vers.  
 BENJAMIN BACKWAY of Boston Marriner defend<sup>t</sup>. } On Appeal from y<sup>e</sup>  
 Judgm<sup>t</sup>. of the  
 County Court held in  
 Boston April 28<sup>th</sup>. 1691. where the Appell<sup>t</sup>. was cast to pay Twenty six  
 pounds in money & costs of Court upon sale of Nathanael Force a  
 Negro man who was sold to s<sup>d</sup>. Backway by s<sup>d</sup> Sarah Fowler &c The  
 Courts Judgem<sup>t</sup>. Reasons of Appeale and Evidences in the Case pro-  
 duced were read & comitted to y<sup>e</sup> Jury. The Jury find for the Ap-  
 pell<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Court.

JOHN TYLER of Charlstown Pl<sup>t</sup>.  
 vers  
 HENRY WRIGHT of Boston Carpenter Def<sup>t</sup> } On Appeal from y<sup>e</sup> Com-  
 mission<sup>n</sup> Court holden in  
 Boston July 14. 1691.  
 where the Appel<sup>t</sup>. was cast to pay Twenty foure shillings seven pence  
 money & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences  
 in the case were read & comitted to y<sup>e</sup> Jury. The Jury find for y<sup>e</sup>  
 def<sup>t</sup>. Confirmation of the former, twenty foure shillings seven pence  
 money damage & costs of Courts.

[257]

DAVID WATERHOUSE of Boston merch<sup>t</sup>. Pl<sup>t</sup>.  
 vers  
 ROBERT LUIST Marriner m<sup>t</sup>. of the ship Provi-  
 dence defend<sup>t</sup>. } On Appeal from  
 y<sup>e</sup> County Court  
 holden in Boston  
 ~ April 28<sup>th</sup>. 1691. where Judgem<sup>t</sup>. was for the defend<sup>t</sup>. costs of Court.  
 The Courts Judgem<sup>t</sup>. Reasons of Appeale & Evidences in the case were  
 read & comitted to y<sup>e</sup> Jury, The Jury find for the defend<sup>t</sup>. Confirmation  
 of the former Judgem<sup>t</sup>. and costs of Courts.

NATHANAEL OLIVER of Boston Merch<sup>t</sup>. Pl<sup>t</sup>.  
 vers  
 ELIZABETH LOFT Ex<sup>ra</sup>. of Rich<sup>d</sup>. Loft dec<sup>d</sup> def<sup>t</sup>. } On Appeal from  
 y<sup>e</sup> County Court  
 holden in Boston  
 April 28<sup>th</sup>. 1691. where Judgem<sup>t</sup> was for the defend<sup>t</sup>. Costs of Court.  
 The Courts Judgement Reasons of Appeal & Evidences in the case  
 were read & comitted to y<sup>e</sup> Jury The Jury find for the defend<sup>t</sup>. Con-  
 firmation of the former Judgement & Costs of Courts.

GEORGE BALL of Boston Marrin'. Pl'. vers WINSOR SANDEY of s <sup>d</sup> Boston Marrin'. Def.	}	On Appeal from the County Court holden in Boston July 28 <sup>th</sup> .
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1691. where Judgem<sup>t</sup>. was for the Pl<sup>t</sup>. Sandey Twenty one pounds seventeen shillings & three pence money & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the case were read & comitted to y<sup>e</sup> Jury The Jury find for the defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. Twenty one pound seventeen shillings three pence mony & costs of Courts.

[Blank.]

GEORGE READ of Wobourn pl <sup>t</sup> . vers WILLIAM PEARSE of s <sup>d</sup> Woobourn def <sup>t</sup> .	}	On Appeal from the County Court held at Cambridge April 7 <sup>th</sup> 1691.
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In an Action of trespass where the Appel<sup>t</sup>. was cast costs of Court The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the Case produced were read & committed to the Jury. The Jury find for the defend<sup>t</sup>. confirmation of the former Judgement & Cost of Courts. Execution issued october 3, 1691.

[258]

JOHN TYLER of Charlstowne Pl <sup>t</sup> . vers HENRY WRIGHT of Boston defend <sup>t</sup> .	}	The pl <sup>t</sup> . withdrew.
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George Monck Taverner on Appeal from the Judgem<sup>t</sup>. of the Comiss<sup>n</sup> Court held in Boston May 12. 1691 where he was fined ff<sup>y</sup> forty shillings in money as a fine to the County &c The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences being read and comitted to y<sup>e</sup> Jury. The Jury find for the Appell<sup>t</sup>. Reversion of the former Judgment.

WILLIAM MUMFORD of Boston Slater Pl <sup>t</sup> . vers. EDWARD WYLLYS of Boston Merch <sup>t</sup> . def <sup>t</sup> .	}	On Appeal from the Judg- m <sup>t</sup> of the Comission <sup>n</sup> Court held in Boston April 7 <sup>th</sup> .
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1691 in an Action of Review, where the Appell<sup>t</sup>. was cast to pay two pounds fourteen shillings & eleven pence money & costs. The Courts

JOHN HAYWARD of Roxbury Merch<sup>t</sup>. Pl<sup>t</sup>.  
vers  
THOMAS BULKLEY of Boston Merch<sup>t</sup>. defend<sup>t</sup>. } On Appeal from the  
County Court holden  
in Boston July 28.  
1691. where the Judgem<sup>t</sup>. was for y<sup>e</sup> Pl<sup>t</sup>. Bulkley. Thirty eight pounds  
in money & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeale & evi-  
dences in the Case were read & committed to the Jury. The Jury find  
for the defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. & costs of  
Courts.

**SETH PERRY** of Boston Pl<sup>t</sup>.  
vers  
**BENJ<sup>n</sup>. ALFORD** of Boston Merch<sup>t</sup>. def<sup>t</sup>.  
On Appeal from the County  
Court holden in Boston 28<sup>th</sup>.  
July. 1691. where the Ap-  
pell<sup>t</sup>. was cast to pay Fourteen pounds three shillings money & costs,  
The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in y<sup>e</sup> Case were  
read & comitted to the Jury. The Jury find for the defend<sup>t</sup> Confirmation  
of the former Judgement & costs of Courts. Ex<sup>con</sup>. issued Dec<sup>r</sup>: 1.  
1691

Capt<sup>ne</sup>. John Alden Comander of the sloop Mary of Boston by his Libell or Information Exhibited unto this Court givinge the Court to understand & be Informed, That by vertue of a Comission given him by the Hon<sup>rd</sup>. Govern<sup>r</sup> & Council of the Massachusetts Bay in New-England & Instructions thereunto or orders in which is one clause comanding him in case he met w<sup>th</sup>. any ship or vessell belonging to the french King or his subjects in his going or returning from Port Royall to seize them w<sup>th</sup>. their lading if within his power & bring them to Boston in order to their Tryal, He the s<sup>d</sup> Alden on the first day of April in the year 1691, at Port Royal afores<sup>d</sup> did take or seize a Vessel or Barque called the Speedwell burthen about Twenty three Tuns w<sup>ch</sup>. did belong to one of the French Kings Subjects whose name is s<sup>t</sup>. Tobin, w<sup>ch</sup> Barque was sometime Giles S[eres]

of Ipswich in New-Eng<sup>d</sup>. and in an hostile manner taken from him by the French Kings Subjects & kept in their possession above Eighteen months until the time he s<sup>d</sup> Alden tooke her &c praying the Advice of

this Court in the premisses & due process in the law & y<sup>e</sup> Judgem<sup>t</sup>. sentence & decre of the Court for the condemnation of s<sup>d</sup> Barque Speedwell & her appurtenances accordingly

Upon Reading & Due consideration of Comission & Evidences presented, The Court decre the s<sup>d</sup> Barque Speedwell a lawfull Prize to the Captor.

Capt<sup>m</sup>. Cyprian Southack Comander of the Ship Porcupine by his libel and Information exhibited unto this Court, givinge the Court to understand and be Informed that in pursuance of a Comission given him by y<sup>e</sup> Lords Comission's for executing the office of Lord High Admiral of England &c bearing date the sixteenth day of July 1689, in the first yeare of the Reign of Our soveraigne Lord & Lady William & Mary King & Queen over England &c and Instructions thereto annexed for the taking or seizing any Merchant ship or ships belonging to France, or ship or ships of any Dominion under the French Power, or any ship or ships trading to or from France or any French Dominion & to bring such ship or ships into any Port or Ports within their s<sup>d</sup>. Ma<sup>m</sup>. William & Mary's Sovereignty or of their friends or Allies to be proceeded ag<sup>t</sup>. as suspected Prize. He the s<sup>d</sup>. Cap<sup>t</sup>. Cyprian Southack cruising in s<sup>d</sup>. Ship Porcupine neer the Isle of Persy in Northern France on the eighth day of June in the Third yeare of their Ma<sup>m</sup>. Reigne over England &c. did take & seize a small Ship or Barque called the s<sup>t</sup>. John Frigott of Quebeck whereof one master Millevashe (or Thousand Cow) was Comander being burthen about forty Tuns or thereabouts belonging to the French Kings subjects haveing on board severall sorts of French Goods suitable for an Indian trade, and is become a lawfull Prize to the || s<sup>d</sup> || Cyprian Southack who hath brought the same into this Port for the Condemnation thereof as the Law directs, praying the Advice of this Court in the premisses and due process in the law, & that Judgement might pass ag<sup>t</sup>. s<sup>d</sup>. Ship or Barque called s<sup>t</sup>. John Frigott together w<sup>th</sup>. all her rigging, tackle, furniture apparell & cargoe to y<sup>e</sup> s<sup>d</sup> Cyprian Southack as a free & lawfull Prize according to the Comission & Instructions given to him as afores<sup>d</sup> & || y<sup>e</sup> || Proclamatio<sup>n</sup> and Statutes in that case made & provided

Upon the Reading & Consideration of the Evidences produced both English & french, that the ship or Barque s<sup>t</sup>. John Frigott of Quebeck did at the time of her takeing belong to the Inhabitants of Quebeck subjects of the French King & Enemies to

their Ma<sup>ties</sup>. William & Mary King & Queen of England &c. The Court do adjudge declare & decree the s<sup>d</sup> ship s<sup>t</sup>. John Frigot of Quebeck with all her rigging tackle apparell & loading to be a lawful prize to the s<sup>d</sup> captor.

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Capt<sup>re</sup>. Samuel Adams Comander of the Briganteen Boneta by his Libel and Information exhibited unto this Court, giving the Court to understand & be informed, That in pursuance of a Comission given him by y<sup>e</sup> Honor<sup>ble</sup>. Simon Bradstreet Esq<sup>r</sup>. Govern<sup>r</sup>. of this their Ma<sup>ties</sup>. Colony of the Massachusetts Bay, with y<sup>e</sup> consent of y<sup>e</sup> Council bearing date y<sup>e</sup> 23<sup>d</sup>. day of ffbruary Anno Dm. 169<sup>o</sup>/1 in the third year of the Reign of o<sup>r</sup>. soveraign Lord & Lady William & Mary by the Grace of God of England Scotland France & Ireland King & Queen defend<sup>ts</sup> of the ffith &c and Instructions thereto annexed did permit and allow him s<sup>d</sup>. Samuel Adams to take the Comand of Cap<sup>t</sup>. of the s<sup>d</sup> Briganteen Boneta of Boston belonging to their Majesties good & loyall Subjects in the Colony afores<sup>d</sup>. by them at their owne proper costs & charges fitted & set forth for the securing these coasts & the seas adjacent from the attacks and spoiles of the ffrench King subjects upon & ag<sup>t</sup>. their Ma<sup>ties</sup>. good subjects, and for weakning the power of their Ma<sup>ties</sup>. enemies the French by vertue of which Comissions & Instructions thereto annexed especially in obedience unto the pursuance of the ffifth Article of the s<sup>d</sup> Instructions viz<sup>t</sup>. you are to bring in all ships or Vessels or goods of the enemies which you shall seize or take from the ffrench the declared & professed Enemies to the Crown of England into this Port to be proceeded ag<sup>t</sup>. as suspected, And the s<sup>d</sup>. Cap<sup>t</sup>. Adams in the in the \* s<sup>d</sup>. Briganteen Boneta, cruising upon the Banks of Newfoundland upon the second day of June 1691 in the Third year of their Ma<sup>ties</sup>. Reign, the Ship called y<sup>e</sup> Marquess Royan, v whereof was master or Comander Peter Richard one of the French Kings Subjects) of burthen about one hundred & ffifty Tuns, manned with ffrench men, and belonging to the ffrench Kings Subjects, haveing on board her a quantity of ffrench salt & core ffish & some Earthen ware did attack & seize & into this their Ma<sup>ties</sup>. Port have brought in order to an adjudication & condemnation as a lawfull Prize, Praying the Advice of this Hon<sup>rd</sup>. Court and due Process in the law & that a Sentence of Condemnation may pass ag<sup>t</sup>. s<sup>d</sup>. Ship her Guns Amunition Tackle Apparel furniture and loading as afores<sup>d</sup>. as a lawfull Prize to be divided,

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\* Repeated in the record.

(the Gunns & Ammunition in her taken to be to the sole use of their Ma<sup>ties</sup>. King William & Queen Mary, and the ship her Tackle Apparel Furniture & goods among the s<sup>d</sup> Samuel Adams, the owners & setters forth of the s<sup>d</sup> Briganteen & her Company according to Instructions afores<sup>d</sup>. and Articles between the owners of s<sup>d</sup>. Briganteen & himselfe & Company, And Proclamacōn & statutes in that case made & provided,

Upon Reading & Consideration of the Evidences produced and y<sup>e</sup> Confession of Jaques Jamet, Charls de Champs and Francis Boreau three frenchmen of the Company belonging to s<sup>d</sup>. Ship Marquess of Royan at y<sup>e</sup> time of her being taken, that y<sup>e</sup> s<sup>d</sup> ship did wholly belong unto Mons<sup>r</sup>. Abraham Michard Merch<sup>t</sup>. in Rochell a subject of the French King.

The Court do adjudge & decree the s<sup>d</sup>. Ship Marquis of Royan with all her rigging Tacklin Apparell & lading to be a lawfull Prize | un | to the | s<sup>d</sup>. | Captor./

[261]

John Cutler jun<sup>r</sup>. on Appeal from the sentence of the County Court held at Charlastowne June 19<sup>th</sup>. 1691. where s<sup>d</sup>. Cutler was sentenced to pay twenty pounds money as a fine &c. For Reproachfull words by him uttered ag<sup>t</sup>. the present authority &c. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the Case were read & comitted to y<sup>e</sup> Jury. The Jury return their Verdict. They find the Appell<sup>t</sup>. not guilty.

JAHLEEL BRENTON Gent Collect<sup>r</sup>. surv<sup>r</sup> &c of  
their Maj<sup>ties</sup>. Customs in New-Engl<sup>d</sup> Pl<sup>t</sup>.  
vers.

Pink. THREE BROTHERS, Thomas Wilkinson Com-  
mander def - - -

} Upon his libell  
or Informacōn for  
Breach of the Act  
of the 12<sup>o</sup> of King

Charles y<sup>e</sup> second Intituled an Act for the Encourageing & increasing of shipping &c and also for Breach of one other Act of the 15<sup>o</sup>. of s<sup>d</sup>. King Charles Intituled an Act for the incouragem<sup>t</sup> of trade &c as is at large recited in the Information. The Pl<sup>t</sup>. setting forth that the s<sup>d</sup>. Pink imported Sundry Goods wares & merchandize of y<sup>e</sup> Growth Production & Manufacture of Europe viz<sup>t</sup>. Fifty tons salt, two hundred Cask of Raysins, five hh<sup>ds</sup>. of Brimstone, one Butt & two smaller cask of Oile Sundry cask of wine &c The defend<sup>t</sup>. Thomas Wilkinson pleaded not Guilty and both parties Joyn Issue. The Information, defend<sup>ts</sup>. Answer

and Evidences in the case being read and Pleas by both parties made The Case was committed to the Jury. The [ Jury ] return their Verdict on their Oaths viz'. They find the Pink THREE BROTHERS, whereof Thomas Wilkinson is Comander, not Guilty according to Information. The Court Record this Verdict. Jahleel Brenton Gent. Pl'. Appealed from this Judgem'. to their Ma<sup>ties</sup>. in Council & gave bond to prosecute his s<sup>d</sup> Appeal w<sup>th</sup> effect.

m<sup>r</sup>. John Croad appeared in Court of Assistants Septemb<sup>r</sup>. 22. 1691. & presented his Petition shewing forth, that he recovering a Judgem'. at the last County Court held in Salem ag<sup>t</sup>. Cap<sup>t</sup>. John Price surviving Executo<sup>r</sup>. of the last will & Testam<sup>t</sup>. of Cap<sup>t</sup>. Walter Price sometime of Salem dec<sup>d</sup>. From w<sup>ch</sup>. Judgement s<sup>d</sup>. Cap<sup>t</sup>. John Price appealed & since that time y<sup>e</sup> s<sup>d</sup>. Cap<sup>t</sup>. John Price is dead, and neither Ex<sup>rn</sup>. nor Adm<sup>rn</sup>. appearing to prosecute s<sup>d</sup> Appeal, and none Appeal being entred, The Petition<sup>r</sup>. desired that his appearance to defend s<sup>d</sup>. Case might be entred & recorded, w<sup>ch</sup> was granted & is accordingly done./

m<sup>r</sup>. Francis Burroughs, m<sup>r</sup>. James LLoyd & m<sup>r</sup>. Benj<sup>r</sup>. Alford are commissioned & appointed a committee to apprise the Katch Salisbury Nicolas Lawrence late Comander with her Tackle & Apparel &c and the Goods imported in s<sup>d</sup> Katch now under the seizure of Jahleel Brenton Gent collect<sup>r</sup>. survey<sup>r</sup>. &c of their Ma<sup>ties</sup> Customes in New-England and to make report of their doings herein under their hands to this Court with what Convenient Speed they can. — — —

m<sup>r</sup>. Hezekiah Usher Petitioning the Court, that he might have an hearing of two actions he commenced ag<sup>t</sup>. the Adm<sup>rn</sup>. of m<sup>r</sup>. Richard Wharton late of Boston merch<sup>t</sup>. dec<sup>d</sup>. at July Court, 1691. The Court grant he shall have an hearing of y<sup>e</sup> s<sup>d</sup> cases at Octob<sup>r</sup>. Court upon y<sup>e</sup> same Process & Entry.

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Josiah Littlefield bound over to this Court by the County Court of Salem to answer for his uttering such words as that he would sweare point blank that he knew some men that had sold the Indians Powder & shot & being Examined denyed the same. The Court order him to pay ten shillings money fine to their Ma<sup>ties</sup>. & fees of Court, standing committed &c<sup>a</sup>.



Joseph Downer of Newberry bound over to this Court by the County Court of Salem to answer for reporting that the Indians killed a man at y<sup>e</sup> eastward and so they might well enough for that y<sup>e</sup> Indians had powder & shot sold them under a pretence of cut Tobacco &c s<sup>d</sup> Downer acknowledged in Court that he spake unadvisedly, and humbly begg'd the Courts Pardon, upon w<sup>ch</sup>. the Court dismissed him paying ffes of Court.

26<sup>th</sup> Sept. Elizabeth Emmerson single woman Daughter of Michael Emmerson of Haverhill in the County of Essex being indicted by the Jurors for o<sup>r</sup> Sovereigne Lord & Lady King William & Queen Mary upon their Oathes. For that the s<sup>d</sup>. Elizabeth Emmerson being with child with two living Children or Infants on Thursday night the 7<sup>th</sup>. of May 1691 before day of Fryday morning at Haverhill afores<sup>d</sup> in the house of Michael Emmerson afores<sup>d</sup> by the Providence of God two Bastard Children alive did bring forth, and the s<sup>d</sup>. Elizabeth Emmerson not haveing the feare of God before her Eyes but being instigated by y<sup>e</sup> Devil of her malice forethought, the s<sup>d</sup> two Infants did feloniously kill & murther, and them in a small Bagg or cloath sewed up, and concealed or hid them in s<sup>d</sup> Emmersons house untill afterwards, that is to say, on sabbath day May the tenth 1691, the s<sup>d</sup> two Infants in the yard of s<sup>d</sup> Emmerson in Haverhill afores<sup>d</sup>. did secretly bury contrary to the peace of Our Sovereign Lord & Lady the King & Queen, their Crown & dignity, the Laws of God, and the Lawes & Statutes in that case made & provided

Upon which Indictment the s<sup>d</sup>. Elizabeth Emmerson was arraigned and to the Indictment pleaded not guilty & put herselfe upon Tryal by God & the Country, \* a Jury was impannelled being the first Jury, whereof m<sup>r</sup>. Richard Crisp was foreman, and were accordingly sworne (the prisoner making no challeng) The Indictment Examination & evidences were read, & the prisoner made her defence, The Jury return their Verdict, The Jury say, That she s<sup>d</sup>. Elizabeth Emmerson is guilty according to Indictment. The Court order, That sentence of Death be pronounced ag<sup>t</sup>. her.

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M<sup>r</sup>. John Joyliffe, Cap<sup>t</sup>. Penn Townsend, Cap<sup>t</sup>.  
 Comissioners of Boston Theophilus ffrary, m<sup>r</sup>. Edw<sup>d</sup>. Bromfield m<sup>r</sup> Jeremiah  
 Dumer & m<sup>r</sup>. John Eyre chosen Comission's for the Towne of Boston

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\* Left blank in the record.

were sworne before the Court September 29. 1691. & m<sup>r</sup>. Tim<sup>s</sup>. Thornton was sworn about a week after.

Elizabeth ffanning, after Proclamation by an Fanning discharg'd Oyes. three times made in Court October pr<sup>o</sup>. 1691. That if any Person or Persons could give in Evidence ag<sup>t</sup>. s<sup>d</sup> Elizabeth of Treason, ffelony or High Misdemeanor, they should come in & be heard, for y<sup>e</sup>. shee stood on her deliverance, and none appearing s<sup>d</sup>. Elizabeth was discharged.

Bridget Denmarke servant maid of Duncan Cam-  
Denmarke indicted bell of Boston Stationer Indicted by the Jurors for o<sup>r</sup>. Sovereigne Lord & Lady the King & the Queen upon their Oathes, for that the s<sup>d</sup> Bridget Denmarke on the tenth day of April 1691. about seven or eight of the clock in the evening of that day with force & armes upon Rice Griffin of Boston labourer upon the wharf neer the dock in Boston in the Peace of God & the King being an Assault did make & with force & violence with her hands into the dock the s<sup>d</sup> Rice Griffin did wilfully & maliciously thrust & thereby octo pr<sup>o</sup>. him by drowning in the water & mudd in the s<sup>d</sup> dock being, feloniously kill & murther, contrary to the Peace of o<sup>r</sup> s<sup>d</sup> Lord & lady the King & Queen their Crown & dignity, the Laws of God, & the laws & statutes in y<sup>e</sup> case made and provided. Upon which Indictment s<sup>d</sup> Bridget denmark was arraigned, pleaded not guilty, & put her, upon Tryall by God & y<sup>e</sup> Country. The Jury is impanelled whereof m<sup>r</sup> Rich<sup>d</sup> Crisp is foreff, & sworne (the s<sup>d</sup> Bridget makeing no challenge) upon the Tryall & past upon her. And brought in their Verdict, that is to say. The Jury say they find s<sup>d</sup> Bridget Denmark Guilty of Manslaughter by accident & chance

Ordered, that s<sup>d</sup> Bridget denmark pay twenty pounds fine to their ma<sup>tes</sup>. and to pay charges of prosecution & fees of Court, and to remain in Prison till this order be pformed.

Richard Lillie son of Edward Lillie | late | of Boston Cooper Indicted by the Jurors for our Sovereign Lord & Lady William & Mary  
King & Queen of England &c upon their Oaths, ffor  
2d that the s<sup>d</sup> Richard Lillie upon the 25 day of July last past about five a clock in the afternoon in the Harbor of Boston afores<sup>d</sup> on board the Briganteen Samuel, John Robinson master, upon, Charles Hopkins of Boston, an Assault did make giving him a mortall

wound in the groin by discharging a Buckaneer Gun at him of w<sup>ch</sup>. wound he died. Upon which Indicted the s<sup>d</sup> Richard Lillie being arraigned pleaded not Guilty, and put himselfe upon Tryall by God & the Country. The first Jury of Tryalls were called whereof m<sup>r</sup>. Rich<sup>d</sup>. Crisp was foreman, and the prisoner makeing no challenge were sworn for his Tryal & past upon him. And the Jury brought in their Verdict, that is to say, They find s<sup>d</sup>. Rich<sup>d</sup>. Lillie guilty of Manslaughter by Misadventure. The Court order s<sup>d</sup>. Rich<sup>d</sup> Lillie to pay ffive pounds money a fine to their Ma<sup>ty</sup>. & twenty pounds money to Margaret the widow of s<sup>d</sup> Charles Hopkins, & charges of Prosecution & fees of Court & to remain in Prison till he pform this sentence.

[264]

In answer to the Petition of John Cutler jun<sup>r</sup>. praying that he may have an hearing of his case, on an appeal from the County Court holden in Charlastowne in December 1689. The Court granted the Petitioner his request. viz<sup>t</sup>. That his Case shall be heard at the next Court of Assistants to be holden in Boston in March next, and in the mean time that Execution be respited

Attest Joseph Webb cler

The Court was adjourned to the sixteenth of October at nine a clock in the Morning & then sate.

Present The Hon<sup>ble</sup>. Simon Bradstreet Esq<sup>r</sup>. Gov<sup>r</sup>.

Samuel Appleton	$\left\{ \begin{array}{l} \text{Esqr.} \\ \text{Assistts} \end{array} \right.$	James Russell	$\left\{ \begin{array}{l} \text{Esqr.} \\ \text{Assistts.} \end{array} \right.$
John Hathorn		Samuel Sewall	
Elisha Hutchinson		Isaac Addington	
John Phillips		John Smith	

Martin Williams a stranger late Resident in Salem Bricklayer being presented & indicted by the Jurors for our Sovereigne Lord & Lady the King and Queen upon their Oaths, That is to say, That s<sup>d</sup>. Martin Williams intending falsly craftily & deceitfully to defraud the Good People of this their Ma<sup>ty</sup>. Colony of New-England, at Salem afores<sup>d</sup> on the sixth day of April 1691. in the Third yeare of their Ma<sup>ty</sup>. reigne, Five peices of false counterfeit money of false & mixt mettals to the likeness of Spanish money called peices of Eight, not being the proper Coine of the Kingdome of England, but the same being curr<sup>t</sup>. in this

Williams  
Indicted

their Ma<sup>tes</sup>. Colony of the Massachusetts in New-Engl<sup>d</sup>. and others their Ma<sup>tes</sup>. Colonies & Plantations in America, falsly did counterfeit, make & coine. And upon the s<sup>d</sup> sixt day of April 1691 about nine a clock in the Evening, one of the s<sup>d</sup> false counterfeit peices of Eight for y<sup>e</sup> value of six shillings curr<sup>t</sup>. money of this Colony did utter & put away contrary to the laws & statutes in that case made & provided. The s<sup>d</sup> Martin Williams being brought to the Barr & arraigned upon s<sup>d</sup> Indictment pleaded not guilty, and put himselfe upon Tryall by God & the Country. The Jury was called (Cap<sup>t</sup>. Richard Crisp foreman) & sworn to pass upon his Tryall, the Evidences in y<sup>e</sup> Case were read (the witnesses appeared) and owned by s<sup>d</sup> Williams. The Case was committed to y<sup>e</sup> Jury, The Jury gave in their Verdict, viz<sup>t</sup>. They find the s<sup>d</sup> Martin Williams guilty of falsly & fraudulently uttering of false Counterfeit money according as is expressed in the Indictment. The Court order that the s<sup>d</sup>. Martin Williams shall stand three || severall || Lecture dayes in Boston, in the Pillory, one houre each time after the lecture w<sup>th</sup>. a Paper signifying his Crime, and that he pay charges of Prosecution, and ffees of Court & Prison & remain in Custody till this Order be performed. /

Ordered that John Newhall Tertius of Lynn & John Blaney be sent for to appeare at the Court of Assist<sup>ts</sup>. on their Adjournm<sup>t</sup>.

The Court adjourned to the second Tuesday in Decemb<sup>r</sup>. next at one of the clock in y<sup>e</sup> Afternoon.

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The Court mett, and adjourned to Wednesday 9<sup>th</sup> of December at nine a clocke morning, thence to the Eleventh at One a clock in the afternoon

Whereas Nicolas Lawrence late master or Com<sup>mander</sup> of the Katch Salisbury had given bond to prosecute his Appeale before the Com<sup>missioners</sup> of the High Court of Admiralty, from a Judgem<sup>t</sup>. Jahleel Brenton Gent. Collect<sup>r</sup>. &c of their Ma<sup>tes</sup>. Customs in New-Engl<sup>d</sup>. recovered on an Informac<sup>on</sup> vers s<sup>d</sup> Katch Salisbury &c, which <sup>^</sup> never intended when they granted his appeal but to their Ma<sup>tes</sup>. in Council,

Order about  
Nic. Lawrence's  
Appeale

Ordered, that the entry be rectified & amended according to the true Intent & as the s<sup>d</sup> Appeale was granted

Court adjourned to Thursday the 24<sup>th</sup> decemb<sup>r</sup>. thence to 25<sup>th</sup>. at one a clock

Hannah Owen of Braintree committed to the Prison in Boston for that by indirect meanes Josiah Owen & s<sup>d</sup> Hannah Owen procured a marriage ~~notw~~ they being within the line of kindred or affinity forbidden Marriage by the Word of God & Statutes of England, Appeared, and owned she was s<sup>d</sup>. Josiah owen's Brothers Relict. The Court do order, That the s<sup>d</sup> Hannah do for the future no more cohabit w<sup>th</sup>. s<sup>d</sup> Josiah Owen, or have fellowship with him as with an husband, and that she make a publick acknowledgement of her sin & evil before the Congregation at Braintree on their Lecture day, or on the Lords day.

[Blank.]

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At a Court of Assistants holden in Boston March pri<sup>o</sup>. 1691½

Present

Simon Bradstreet Esq<sup>r</sup>. Gov<sup>r</sup>.

Thomas Danforth Esq<sup>r</sup>. Dep<sup>ty</sup>. Gov<sup>r</sup>.

James Russell	} Esq <sup>rs</sup> . Assist <sup>ts</sup> .	William Stoughton	} Esq <sup>rs</sup> . Assist <sup>ts</sup> .
Wait Winthrop		Samuel Sewall	
John Phillips		Isaac Addington	

Grand Jury sworn

L <sup>d</sup> . Richard Way	CAP <sup>t</sup> EDWARD WYLLY of Boston shopkeeper Pl <sup>t</sup> .	} On Appeal from the Comission <sup>rs</sup> Court held in
Jarvis Ballard		
Thomas Harwood	vers	
Thomas Bannister	EDWARD THOMAS of s <sup>d</sup> Boston	
John Cotta	Merch <sup>t</sup> . def.	
Henry Bowen		
John Watson		
Henry Garnsey	Boston december 24. 1691. where Judgem <sup>t</sup> . was for	
Thomas Trotter sen <sup>r</sup> .	the Pl <sup>t</sup> . Thomas Three pounds sixteen shillings	
Rich <sup>d</sup> . Lowden	money & costs. The Courts Judgem <sup>t</sup> . Reasons of	
Thomas Bligh	Appeal & Evidences in the Case being read & committed	
Thomas Cheeney	to y <sup>e</sup> Jury. The Jury find for the defend <sup>t</sup> . Confirmation	
James Hubbard	of the former Judgem <sup>t</sup> . & costs of Courts.	
Richard Norcross		
Theophilus Roads		

<hr/> Jury of Tryalls sworn	<hr/> NATHANAEL THAIRE of Boston Pl. vers. ELIZABETH TOWNSEND Relict of James Townesend - - - def.	}	On Appeal from the Judgm <sup>t</sup> . of the County Court
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held in Boston October 27. 1691. where Judgem<sup>t</sup>. was <sup>^</sup> the Pl<sup>t</sup>. That the defend<sup>t</sup>. do forthwith deliver to y<sup>e</sup> Pl<sup>t</sup>. Possession of the p<sup>t</sup> of the house sued for as it was layd out by Order of Court & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the Case were read, and comitted to the Jury. The Jury find for the defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. & costs of Courts. Execution issued March 28. 1692

<hr/> 2 Jury of Tryalls sworn	<hr/> ARTHUR MASON Guardian to Tho: Gatliff son of Jonath <sup>n</sup> . Gatliff of Boston Marrin <sup>t</sup> . dec <sup>d</sup> . Pl <sup>t</sup> . vers. SAMUEL LEGG of Boston Marrin <sup>t</sup> . def.	}	On Appeal from y <sup>e</sup> Judgm <sup>t</sup> . of the County Court hat * at
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Boston October 27. 1691. where the Pl<sup>t</sup>. recovered Judgem<sup>t</sup>. ag<sup>t</sup>. y<sup>e</sup> Appel<sup>t</sup>. Ten Pounds in money & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal & evidences were read & comitted to y<sup>e</sup> Jury. The Jury find for the Appell<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Courts.

ANDREW BELCHAR Merch <sup>t</sup> . Pl <sup>t</sup> . vers JAMES LLOYD Merch <sup>t</sup> . defend <sup>t</sup> .	}	On Appeal from the County Court holden in Boston January 26 <sup>th</sup> . 1691½ where Judgem <sup>t</sup> . was for the defend <sup>t</sup> . costs of Court, the Appell <sup>t</sup> . suing y <sup>e</sup> def <sup>t</sup> . in an action of Debt for non paym <sup>t</sup> . of two hundred & fifty pounds justly due by one Obligation or charter party under y <sup>e</sup> hand & seale of s <sup>d</sup> James LLOYD indented & made 22 <sup>th</sup> July 1691 for going into y <sup>e</sup> parts of Nova Scotia not in Amity w <sup>th</sup> . the King of Engl <sup>d</sup> . &c as is more at large specified in y <sup>e</sup> Attachm <sup>t</sup> . & Courts Judgem <sup>t</sup> . The Appell <sup>t</sup> . desired a special Jury of Merch <sup>ts</sup> &c and he would be at y <sup>e</sup> charge w <sup>ch</sup> . was accordingly granted
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Special Jury sworn

Capt. Edward  
 Wylls  
 Robert Howard  
 David Jefferyes  
 Nathanael Carey  
 John Balston  
 William Welsted  
 Richard Way  
 James Barnes  
 John Hayward  
 William Griggs  
 Sam<sup>l</sup>. Phipps  
 Joshua Gee

and a Jury summoned whose names are in the Margent. The Courts Judgem<sup>t</sup>. Reasons of Appeale & evidences in the case were read & Pleas made. The case was committed to the Jury. The Jury returned their Verdict thereon viz<sup>t</sup>. They find for the Appell<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & forfeiture of the charter Party, two hundred & fifty pounds money & costs of Courts

James Lowden Appellant from the County Court at Cambridge October 6<sup>th</sup>. 1691. where the Court sentenced s<sup>d</sup>. Lowden to pay five pounds in money fine to y<sup>e</sup> County & fees of Court &c being found Guilty of slaundering m<sup>r</sup>. James Russell in the discharge of his Magistraticall office. The Courts Judgem<sup>t</sup>. Reasons of Appeal & evidences being read were committed to y<sup>e</sup> Jury. The Jury find Confirmation of the former Judgem<sup>t</sup>. and costs of Courts.

	DANIEL HOVEY sen <sup>r</sup> . of	} On Appeal from the
	Ipswich Pl <sup>t</sup> .	
	vers	
Hovey vers. Perkins	ABRAHAM PERKINS defend <sup>t</sup> .	Judgm <sup>t</sup> of the County Court held at Ipswich

Septemb<sup>r</sup>. 29. 1691. where Judgem<sup>t</sup> <sup>a</sup> for the Plaintiff the land in controversy & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the case were read & committed to the Jury. The Jury find for the Appell<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Courts.

	SETH PERRY of Boston Pl <sup>t</sup> .	} On Appeal
	vers.	
	BENJ <sup>n</sup> . ALFORD of s <sup>d</sup> Boston defend <sup>t</sup> .	
Perry vers. Alford.		from the County Court

holden in Boston 26<sup>th</sup> January 1691½ in an action of Review, where the Appell<sup>t</sup>. was cast Costs of Court. The Courts Judgm<sup>t</sup>. Reasons of Appeal & Evidences in the case were read & given to y<sup>e</sup> Jury. The Jury find for the defend<sup>t</sup>. Confirmation of former Judgem<sup>t</sup> & costs of Courts.

	JOHN WAITE Pl <sup>t</sup> .	} On Appeal from the
	vers.	
	THOMAS NEWHALL defend <sup>t</sup> .	
Waite vers. Newhall		Judgem <sup>t</sup> . of y <sup>e</sup> County Court held at Charls- towne decemb <sup>r</sup> . 29. 1691. where the Jury found for s <sup>d</sup> Newhall y <sup>e</sup> Pl <sup>t</sup> .

four pounds money according to Bill & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the case being read & committed to y<sup>e</sup> Jury, The Jury find for Thomas Newhall Confirmation of y<sup>e</sup> former Judgem<sup>t</sup>. & costs of Courts.

Somes vers Lake	JOHN SOMES of Boston Appel <sup>t</sup> . vers. LANCELOTT LAKE of s <sup>d</sup> Boston defend <sup>t</sup> .	}	On Appeal from the County Court of Suffolke Jan <sup>y</sup> .
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26. 169 $\frac{1}{2}$  where the defend<sup>t</sup>. recovered Judgem<sup>t</sup>. ag<sup>t</sup>. the Appell<sup>t</sup>. That he give the defend<sup>t</sup>. an Acco<sup>d</sup>. of the Goods sued for & costs of Court. the s<sup>d</sup> Lancelot Lake suing for an acco<sup>d</sup> with the Produce of Sundry Goods & merchandize as p<sup>p</sup> Attachm<sup>t</sup>. The Courts Judgement, Reasons of Appeal & evidences in the case being read & committed to the Jury. The Jury returned their Verdict, They find for the defend<sup>t</sup>. Confirmation of the former Judgement and do adde that the Appell<sup>t</sup>. shall within one month give acco<sup>d</sup>. to y<sup>e</sup> defend<sup>t</sup>. of his disposall of the Goods he rec<sup>d</sup>. as Attourney of y<sup>e</sup> def<sup>t</sup>. & now sued for, or pay to y<sup>e</sup> def<sup>t</sup>. in curr<sup>t</sup>. money, two Hundred twenty four pounds & costs of Courts.

[268]

Arnold vers. Belcher	JOHN ARNOLD Prison keeper in Boston - - - Pl <sup>t</sup> . vers. JOSEPH BELCHAR of Braintree defend <sup>t</sup> .	}	On Appeal from the Judgem <sup>t</sup> . of the County Court
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holden in Boston October 27<sup>th</sup>. 1691. where Judgem<sup>t</sup>. was for the Pl<sup>t</sup>. Belchar ffourteen pounds nineteen shillings & ten pence mony & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal & evidences in y<sup>e</sup> case being read and comitted to the Jury The Jury find for the Appell<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Courts.

Davison ver Potter	DANIEL DAVISON    jun <sup>r</sup>    of Ips- wich Pl <sup>t</sup> . vers. EDMOND POTTER of Ipswich defend <sup>t</sup> .	}	On Appeal from the County Court held at Ipswich
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Sep<sup>t</sup>. 29. 1691. Where the Judgem<sup>t</sup>. was Confirmation of y<sup>e</sup> former



Judgem<sup>t</sup>. & costs of Courts. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the case being read & comitted to y<sup>e</sup> Jury. The Jury find for y<sup>e</sup> defend<sup>t</sup>. Confirmation of the former Judgement & costs of Courts.

Smith vers Nash	THOMAS SMITH of Boston Smith Pl <sup>t</sup> .  vers. JOSEPH NASH of Boston Marrin <sup>t</sup> . def <sup>t</sup> .	} On Appeal from the Judgem <sup>t</sup> . of the Comission's
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Court held at Boston decemb<sup>r</sup>. the 29<sup>th</sup>. 1691. Where Judgem<sup>t</sup>. was for the pl<sup>t</sup>. Nash ff<sup>y</sup> forty shillings in money and costs. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the case were read & comitted to y<sup>e</sup> Jury. The Jury find for the defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. & costs of Courts.

Dunclin vers Witherett	NATHAN DUNCLIN of Charlstown Mar <sup>r</sup> Pl <sup>t</sup> .  vers. WILLIAM WITHERETT of Boston Merch <sup>t</sup> . defend <sup>t</sup> .	} On Appeal from the Judgem <sup>t</sup> . of the County Court
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holden at Boston October 27. 1691. where Judgem<sup>t</sup>. was for the defend<sup>t</sup>. Costs of Courts The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the case were read & comitted to the Jury. The Jury find for the defend<sup>t</sup> Confirmation of the former Judgem<sup>t</sup>. & costs of Courts.

Peggey vers Crisp	EDWARD PEGGY of Boston Pl <sup>t</sup> . vers RICHARD CRISP of Boston defend <sup>t</sup> .	} On Appeal from the Judgem <sup>t</sup> . of the County Court
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held at Boston January 27. 169 $\frac{1}{2}$  where Judgem<sup>t</sup>. was for the pl<sup>t</sup>. Thirteen pounds in p<sup>s</sup>. of Eight at five shillings a peice & costs. The Courts Judgem<sup>t</sup>. Reasons of Appeale & Evidences in the case were read & comitted to y<sup>e</sup> Jury. The Jury find for the Appell<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Courts.

Shrimpton vers Brenton	SAMUEL SHRIMPTON Esq <sup>r</sup> . Owner of the Briganteen Mary . . . Appel <sup>t</sup> vers JAHLEEL BRENTON Gent Col- lector survey <sup>r</sup> & searcher of their Ma <sup>ty</sup> . Customs in New Engld def <sup>t</sup> .	}	On Appeal from the Judgem <sup>t</sup> . of the County Court holden in Boston
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February 17<sup>th</sup> continued by Adjournm<sup>t</sup>. from 26<sup>th</sup> January 1691½ upon an  
[269]

Information or libell against the Briganteen Mary, for the breach of the Act of the 12<sup>o</sup> of King Charles the second Entituled an Act for y<sup>e</sup> In-  
courageing & increasing of shipping & Navigation &c<sup>a</sup>. as also upon y<sup>e</sup>  
Act of ¶ y<sup>e</sup> ¶ 25<sup>th</sup> of the s<sup>d</sup> King Charles as is more at large Expressed  
in the County Courts Judgem<sup>t</sup>. said Briganteen being forfeited for  
haveing her full ladeing of hides & Tobacco not giving bond nor paid  
duties for the same according as p s<sup>d</sup> Act is required. Issue is there-  
upon Joyned. The Courts Judgem<sup>t</sup>. Reasons of Appeal, the defend<sup>r</sup>.  
answer & Evidences in the case being read, and Pleas by both parties  
made, The case was comitted to y<sup>e</sup> Jury. The Jury upon their Oathes  
return their verdict for the Appellant. Reversion of the former Judge-  
ment.

Lambe &c vers Clarke attorney.	ABIEL LAMBE & SOLOMON RAYNS- FORD Pl <sup>t</sup> . vers M <sup>r</sup> ADAM WINTHROP Treasurer of the County of Suffolk by John Clark his Attor <sup>ny</sup> . defend <sup>t</sup> .	}	On Appeal from the County Court holden in Boston on the 27 <sup>th</sup> day of
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October 1691. where the Appell<sup>t</sup>. was cast forfeiture of the Bond one  
hundred & fifty pounds money & costs of Court. The Courts Judgem<sup>t</sup>.  
Reasons of Appeal & Evidences in y<sup>e</sup> Case being read committed to the  
Jury & are on file, The Jury returned their verdict thereon viz<sup>t</sup>. They  
find for y<sup>e</sup> defend<sup>t</sup>. Confirmation of the former Judgement & costs of  
Courts.

GEORGE DANSON Pl <sup>t</sup> . vers CAP <sup>t</sup> . JOHN WING def <sup>t</sup> .	}	This action fell, no reasons of Appeal being returned.
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Milner vers. Wing	NATHANIEL MILNER Marrin'. Pl'.	} On Appeal from the Judgem'. of the County Courtholden in Boston Octob'.
	vers	
	CAP'. JOHN WING of Boston defend'.	

27<sup>th</sup>. 1691. where Judgem'. was for the pl'. Jn° Wing seven pounds twelve shillings & eight pence & costs. The Courts Judgem'. Reasons of Appeale and Evidences in the case were read & comitted to y° Jury. The Jury find for the defend'. Confirmation of the former Judgem'. & Costs of Courts.

CAP'. JOHN MARCH of Newbery Pl'. vers. RICHARD CARR of Salisbury def.	} The Appell'. was nonsuited on non appearance, & y° def. Rich <sup>d</sup> . Carr moved y° Court	

for his Costs, w<sup>ch</sup>. was granted for his Attendance &c at this Court w<sup>ch</sup>. amounts to twenty eight shillings w<sup>th</sup>. certificate. The costs at Ipswich Court & before Maj<sup>r</sup>. Saltonstall not being brought into this Bill of costs but left to Ipswich Court bill that is allow<sup>d</sup> there.

attest J. Webb cler

Stanbury vers Harris	THOMAS STANBURY of Boston Pl'. vers.	} On Appeal from the Judgem'. of the County Court
	RICHARD HARRIS of s <sup>d</sup> Boston Defend'.	

January 26<sup>th</sup>. 1691½ where the Judgem'. was for the defend'. costs of Court The Courts Judgem'. Reasons of Appeal [270]

and Evidences in the Case were read & comitted to the Jury. The <sub>A</sub> find a special Verdict to this effect. That George <sub>A</sub>\* shipmaster lands from on board his ship, a parcell of salt in the warehouse of y° defend'. which s<sup>d</sup>. salt was shipped on board by William Ball as appeares by receipt under George Ball's hand, we find proved that this salt was sold by s<sup>d</sup>. W<sup>m</sup>. Ball unto the pl'. as appeares by the Testimonyes of Richard Arnold that saw it measured unto y° pl'. as also owned by the defend'. as appeares by the testimony of Thomas Edwards, also that he agreed with the pl'. about the warehouse room for s<sup>d</sup> salt as appeares by the testimony of s<sup>d</sup> Edwards & m<sup>r</sup>. Epaphras Shrimpton If therefore the

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\* Ball?

defend<sup>t</sup>. is by law obliged to deliver s<sup>d</sup> salt to y<sup>e</sup> pl<sup>t</sup>. on his demand without the special order of George Ball who first delivered the same to him, we find for the pl<sup>t</sup>. the salt in Controversy w<sup>th</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Courts. If otherwise for the defend<sup>t</sup>. Confirmation of y<sup>e</sup> former Judgem<sup>t</sup>. & costs of Courts.

The Magistrates on consideration of the \* declare  
for y<sup>e</sup> Appell<sup>t</sup>. the salt in controversy, Two hundred sixty seven bushells & costs of Courts.

Foy vers Robie	CAP <sup>t</sup> . JOHN FOY of Boston Marrin <sup>t</sup> . vers WILLIAM ROBIE of Boston Merch <sup>t</sup> . ffeoffee in trust for Mary Loder late wife of John Loder def <sup>t</sup>	Pl <sup>t</sup> . } On Appeal from the Judgem <sup>t</sup> . of y <sup>e</sup> . County Court
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holden in Boston Octob<sup>r</sup>. 27 1691. where Judgem<sup>t</sup>. was for y<sup>e</sup> Pl<sup>t</sup>. Robie, Two hundred pounds mony and costs. The Courts Judgem<sup>t</sup>. Reasons of Appeale & evidences in y<sup>e</sup> Case produced were read & comitted to y<sup>e</sup> Jury The Jury return a speciall verdict That if the Execution levied on the ship Dolphin, and possession given to m<sup>r</sup>. Robie of the same do invest the right & power in m<sup>r</sup>. Robie as ffeoffee in trust then we find for the defend<sup>t</sup>. confirmation of the former Judgem<sup>t</sup>. & costs of Courts, if otherwise we find for the Appell<sup>t</sup>. Reversion of the former Judgem<sup>t</sup>. & costs of Courts

The Magistrates declare for the Appellant Reversion of the former Judgement & costs of Courts.

Green ver Fox.	SAMUEL GREEN in behalfe of himselfe and as Attorney to his Brethren Pl <sup>t</sup> . vers THOMAS FOX defend <sup>t</sup> .	} On Appeal from the County Court held at Charles.
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towne decemb<sup>r</sup>. 29. 1691. where Judgem<sup>t</sup>. was for the defend<sup>t</sup>. Title to y<sup>e</sup> land in controversy & costs of Court. The Courts Judgement Reasons of Appeale and evidences in the case produced being read & comitted to y<sup>e</sup> Jury The Jury find for the defend<sup>t</sup>. Confirmation of the former Judgement & costs of Courts.

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\* Left blank in the record.

[271]

Stratton vers. Gidley.	RICHARD STRATTON Appell <sup>t</sup> . vers. HEZEKIAH GIDLEY defend <sup>t</sup> .	}	On Appeal from the Judgem <sup>t</sup> . of the County Court at
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Charlstowne in december 1691. where s<sup>d</sup> Hezekiah Gidley sued s<sup>d</sup>. Stratton for illegally possessing himselfe of an house & land in Chelmsford &c which of right belonged to s<sup>d</sup> Gidley's father & w<sup>ch</sup>. he dyed seized of as his owne proper real Estate &c and recovered Judgem<sup>t</sup>. ag<sup>t</sup>. the Appell<sup>t</sup>. Title to y<sup>e</sup> land in controversy & costs of Court. The Courts Judgem<sup>t</sup>. Reasons of Appeale & Evidences in the Case were read & comitted to y<sup>e</sup> Jury The Jury find for the defend<sup>t</sup>. Confirmation of y<sup>e</sup> former Judgem<sup>t</sup>. & costs of Courts allowed two pounds eight shillings ten pence. Execution issued for Costs March. 25. 1692

Tay vers. Harwood	JEREMIAH TAY of Boston Marrin <sup>t</sup> . Pl <sup>t</sup> . vers. THOMAS HARWOOD & Rachel his wife def <sup>t</sup> .	}	On Appeal from the Judgem <sup>t</sup> . of the County Court holden in Boston Jan'y 26.
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169 $\frac{1}{2}$  where Judgem<sup>t</sup>. was for y<sup>e</sup> Pl<sup>t</sup>. Possession of the house & land sued for & costs of Court. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the Case were read & comitted to the Jury. The Jury find for the Appellant Reversion of the former Judgem<sup>t</sup>. & costs of Courts.

Thatcher vers. Thatcher	MARY THATCHER of Boston widow. Pl <sup>t</sup> . vers. M <sup>r</sup> . PETER THATCHER of Milton def <sup>t</sup> .	}	On Appeal from the Judgem <sup>t</sup> . of the County Court holden in Bos- ton January 26. 169 $\frac{1}{2}$
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where Judgement was for the Pl<sup>t</sup>. The Possession of the house & land sued for & costs of Court. The Courts Judgem<sup>t</sup>. Reasons of Appeal & evidences in the Case were read & comitted to y<sup>e</sup> Jury The Jury find for the Defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. and costs of Courts.

Checkley vers. Griggs	CAP <sup>t</sup> . ANTHONY CHECKLEY Pl <sup>t</sup> . vers. WILLIAM GRIGGS defend <sup>t</sup> .	}	On Appeal from the Commission <sup>r</sup> . Court held in Boston
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February 9<sup>th</sup>. 169 $\frac{1}{2}$  where the Judgm<sup>t</sup>. was for the Pl<sup>t</sup>. six pounds money & costs of Court. The Courts Judgem<sup>t</sup>. Reasons of Appeal & Evidences in the case were read & committed to the Jury. The Jury return their Verdict viz<sup>t</sup>. They find for the defend<sup>t</sup>. Confirmation of the former Judgem<sup>t</sup>. & costs of Courts. Execution issued March 23. 169 $\frac{1}{2}$

*[Here ends the record of the Sessions of the Court of Assistants.]*



## [RECORD OF EXECUTIONS.]

*[The following record of executions is at the end of the volume, the paging beginning with the third leaf from the end, the preceding two leaves being blank. The beginning of each page of this part of the original record is indicated here by [1<sup>a</sup>] [2<sup>a</sup>] &c. The whole of this record is in the handwriting of Edward Rawson, the Secretary.]*

[1<sup>a</sup>]

Att this end of the Court of Assistants booke of Records stands Recorded such executions as haue binn Returnd & by y<sup>e</sup> partjes Concerned so desired to be so entred at words in length e<sup>r</sup>

Att A Court of Assistants held at Boston y<sup>e</sup> 2<sup>d</sup> Septembe<sup>r</sup> 1673.

FatherGon Dinely Administrato<sup>r</sup> to the estate of John Dinely deceased plantiff ag<sup>t</sup> the estate of Cornelius stenwicke in the hands of Cap<sup>t</sup> w<sup>m</sup> Daus In an action of Appeale from the Judgment of the County Court at Boston in July last — After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury and are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the Appellant Reuerision of the forme<sup>r</sup> Judgment w<sup>th</sup> the land in Controuersy & Costs of Courts fowe<sup>r</sup> pounds ten shillings & two pence — This Judgment stands entred as the law directs from march nex<sup>t</sup> 167<sup>3</sup> That this is A true Copy taken out of the Courts book of Reccords

Attests Edw<sup>rd</sup> Rawson Secr<sup>y</sup>

To Edward Mitchelson marshall Generall or his deputy These require yow in his Majtys name by way of execution to levy & execute the Judgmen<sup>t</sup> aboue written in all respects and deliuer the same w<sup>th</sup> two shillings for this execution to Fathe<sup>r</sup>Gon Dinely administrato<sup>r</sup> administrato<sup>r</sup> \* aforesajd and is in sattisfaction of the aboue sajd Judgment granted him by the Court of Assistants sitting in Boston as aboue sajd making yo<sup>r</sup> returne as the law directs & not faile dated in Boston 9<sup>th</sup> of march 167<sup>3</sup> By y<sup>e</sup> Cour<sup>t</sup> Edward Rawson secrety vnd<sup>r</sup>writt

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\* Repeated in the record.

This Execution was se'ved according to the aboue written order and the land deliuered to the Appellan<sup>t</sup> only wee did not gett any Costs Capt Daus being but an Attorney deny<sup>^</sup> to pay any Costs this 22 of (1) mo 167<sup>4</sup> Edward michelson marshall Geñ<sup>ll</sup>

This execution & Return is entred & Recorded word for word & Compared w<sup>th</sup> the originall on file this 8<sup>th</sup> Aprill 1675 at Request of fathe<sup>r</sup>gon Dineley  
p Edw: Rawson secre<sup>t</sup>

[Blank]

[5<sup>a</sup>]\*

Att A Court of Admiralty or Court of Assistants held at Boston in New England the 16<sup>th</sup> of Decembe<sup>r</sup> 1675

In the Case brought to this Court by the libell & complaint of Nicholas skinner master of the ship Doue in behalfe of himself & Company plaintifff (against the sajd ship Doue nicholas moulder p<sup>t</sup> ouno<sup>r</sup> of the sajd ship and James Loyd his Assignee defendan<sup>t</sup>) for wages for himself sajd skinner & Company and expenses lajd out on the sajd ship. This Court finds for the plaintifffe || & orders and decrees that the defendant<sup>^</sup> unto the plaintifffe || the sume of two hundred and sixteen pounds nine shillings & fower pence damage in money & costs of this Court three pounds sixteen shillings That this is a true Copie taken out of the Courts Recco<sup>rds</sup> Attests Edward Rawson Se<sup>cre</sup><sup>v</sup>

To Edward mitchelson marshall Generall or his deputy.

These Require yow in his Maj<sup>ty</sup><sup>v</sup> name to levy by way of execution on sajd ship Doue Nicholas moulder & James Loyd his Assignee in mony the sume of two hundred and twenty pounds fue shillings and fowe<sup>r</sup> pence and deliuer the same to Nicholas skinner master of the sajd ship Doue in behalfe of himself & Company for wages & expenses C<sup>r</sup> as aboue in all respects hereof not to faile. Dated in Boston this 21<sup>th</sup> decembe<sup>r</sup> 1675

By y<sup>e</sup> Court Edward Rawson Se<sup>cre</sup><sup>v</sup>

underwritt

That this is A true Copie of y<sup>e</sup> execution Attests Edw Rawson secret

Boston 28 decembe<sup>r</sup> 1675

Wee whose names are vnde<sup>r</sup> written being chosen by m<sup>r</sup> Nicholas

\* (Pages [3<sup>a</sup>], [3<sup>a</sup>], and [4<sup>a</sup>] are blank except that in the upper left-hand corner of page [3<sup>a</sup>] is entered "This Executio<sup>n</sup> entred 21 of xbr 78." This page [5<sup>a</sup>] is numbered in Rawson's hand 5, and is the only page at this end of the book which has an original numbering.)



moulde' m' Nicholas skinner & the marshall Geñerall for the Country to Aprise the Pincke \* Doue whereof is m'† m' Nicholas skinner w<sup>th</sup> hir Appurtenances belonging unto sajd Pincke Doue an Inventory of sajd Pincke & Appurtenances being produced to us and the particullars shewed unto us and vpon our vejwing and ouerhaling of them pticcularly wee doe Apprize the sajd Pincke and Its Appurtenances at the sume of fowe' hundred forty & fowe' pounds mony as witt[n]es ou' hands the day & yeare abouesajd christophe' Clarke Joseph Cocke nathaniel Greenwood.

vnd' writt & Anex' this execution was se'ved on the pinck Doue that was Apprised money as will Appeare by the Aprisement also so much of the vessell was prized and deliuered vnto m' skinner the wch' execution amounted to two hundred twenty pounds fue shillings and fuety shilling<sup>s</sup> for the se'ving of this execution wch' I Received of m' skinner as wittnes my hand the sume is two hundred twenty two pounds fueteen shillings wch' is the whole of the execution as [lis] abouesajd and deliuered the same vnto m' skinner for the sattisfying of the aboue written judgment = 27  $\frac{10}{mo}$  1675 Edward mitchelson marshall Generall

The Judgment execution Aprisement & deliury by the marshall Generall as aboue written stands here Recorded word for word w<sup>th</sup> the originall on file as Attests Edward Rawson Secre<sup>ry</sup>

[Page 6<sup>a</sup> is blank.]

[7<sup>a</sup>]

Att A Court of Assistants or Admiralty held at Boston 24<sup>th</sup> of may & Adjourned to 28<sup>th</sup> sajd may 1678

Tho Bromehall mate Richard Peete's Lawrence Bowles & Jn<sup>o</sup> Ragland marriners of Catch Jn<sup>o</sup> & Benjamin plaintiffs by their libell & complt exhibbitted to this Court 24<sup>th</sup> may Instant & Adjourned to twenty eighth Instant at one of the clocke against w<sup>m</sup> Long master of the sajd Catch deffend' according to Attachment who w<sup>th</sup> the sajd vessell was bound ouer in one hundred twenty sixe pounds mony to respond the decree & Judgment of this Court for that the sajd deffendant refused to pay vnto the sajd mate & company their seuerall wages i e to the sajd Thomas Bromhall mate twenty fue pounds ten shillings or thereabouts & to the sajd

presentt  
Jn<sup>o</sup> Leueret Esq<sup>r</sup>  
Go<sup>o</sup>  
Symon Bradstreet  
Daniel Gookin  
Tho Danforth  
W<sup>m</sup> Hathorne  
Edw<sup>d</sup> Tyng  
Joseph Dudley Esq<sup>r</sup>

\* Written over "ship."

† Master.

Richard Peete's a thirteen pounds to said Bowles ten pounds tenn shillings and to y<sup>e</sup> said Ragland fuety shillings for their se'vices donn in the said Catch as in said Attachm<sup>t</sup> & evidences & said maste's Acknowledgm<sup>t</sup> that the said marrine's had binn w<sup>th</sup> him a tenn or eleven mon<sup>th</sup> After the libell Attachmen<sup>t</sup> & evidences in the Case produced were Read and are on file The Court found for the plaintiff<sup>s</sup> and orde's & decrees that the deffend<sup>t</sup> master & Catch pay vnto Tho Bromhall twenty five pounds five shillings to Richard Peete's twelue pounds fiveteen shillings To Lawrenc Bowles ten pounds <sub>^</sub> to John Ragland fuety shillings w<sup>th</sup> Costs & chardges of Court three pounds seven shillings & two pence in all fuety three pounds seventeen shillings & two pence — execution Issued out for y<sup>e</sup> same 29<sup>th</sup> may 78 — & was

To Edward Mitchelson marshall Gennerall or his deputy

In his Majtjes name yo<sup>r</sup> are Required by way of Execution to levy on the person of w<sup>m</sup> Long master of the Catch John & Benjamin w<sup>th</sup> hir Apparrell & furniture in mony the sume of fuety pounds tenn shillings and deliuer the same w<sup>th</sup> two shillings for this execution together with three pounds seuen shillings & two pence for Court charges & Costs in mony to Thomas Bromhall twenty-five pounds five shillings to Richard Peete's twelue pounds fiveteen shillings to Lawrenc Bowles tenn pounds <sub>^</sub> to Jn<sup>o</sup> Ragland fuety shillings in all w<sup>th</sup> costs & charges three pounds seuen shillings & two pence and is in sattisfaction of a Judgment & decree of the Court of Admiralty granted to them for so much making you<sup>r</sup> Returne as the law directs Dated in Boston the 29<sup>th</sup> of may 1678 —

By the Court Edward Rawson Secre<sup>r</sup>

vnde'writt

I haue seised the master & Catch John & Benjamin and haue Apprised the same as will Appear vnde<sup>r</sup> their hands hereto Annex<sup>t</sup> the 31<sup>th</sup> <sup>3d</sup> mo 1678. Edward Mitchelson Generrall marshall

Annex<sup>t</sup> = An Apprisement of the Catch John & Benjamin w<sup>m</sup> Long Comand<sup>r</sup> may 31<sup>th</sup> 1678

majnsajle one hundred & sixteene yards fifty	}	04.	04.	04
eight shillings Jebasjle 13. 4 <sup>d</sup> sprit sajle thirteene				
shillings & fowe <sup>r</sup> pence — — — — —				
majne top sajle ten shillings missen six shillings	}	01.	02.	03
three pence one hundred weight Junke sixe shillings				
nine barrells -sixe shillings Cable forty shillings				
Runing Rigging in hold & blocks 20 <sup>s</sup> —		01.	06.	00

Iron potts & a frying pan ten shillings pewter	11	s	d
dish & wooden platte's 2 <sup>s</sup> Can hooks 1 <sup>s</sup>	00.	10	00
spikes & chajne plates for store ten shillings on			
Anchor 35 <sup>s</sup> grindston 1 <sup>s</sup> — — — — —	02	06	00
standing & Runing Rigging fuety shillings boate			
mas <sup>t</sup> & saje & oares fuety shillings — — — —	05	00	00
The Hull masts & yards seventy & fue pounds —	75	00	00
willjam Condj			
John ffoy	92:	19.	11*
Nathaniel Greenwood			

vnde<sup>r</sup>writt

know all men by these presents that on the one & thirtieth day of may 1678 w<sup>m</sup> Condj John ffoy & nathaniel Greenwood Came before me vnde<sup>r</sup> writt and deposed that they being chosen by willjam Long master

[8<sup>a</sup>]

and the seamen of the sajd Catch & the marshall Gennerall Edward mitchelson on behalfe of the Country to make an Aprajsement of the sajd Catch & Appurtenances aboue written Came before me and tooke their oathes that they would make a due Aprisement of the same which || also || they haue signed vnde<sup>r</sup> their hands as Attests Tho Brattle Comissione<sup>r</sup>. /

This is to Certify that this execution is satisfied  
stands endorst on and the men is pajd their wages and the vessell was  
the originall execu- and the men is pajd their wages and the vessell was  
tion Returned sold according to the Apprisemen<sup>t</sup> as will Appeare  
vnde<sup>r</sup> their hands and what remajnes I shall rese<sup>r</sup>ve  
till further orde<sup>r</sup>

Edw<sup>d</sup> mitchelson m<sup>s</sup>h<sup>ll</sup> Genll

And at the ffoote of all is writt:

This is to Certify whom it may Concerne that I vnde<sup>r</sup>writt hauing seized the aboue mentioned Catch & had hir & hir Appurtenances duely Apprized on oath as is aboue written and sold the same one halfe to John keech for forty fowe<sup>r</sup> pounds & to John Turell & John ffooster the othe<sup>r</sup> halfe for the like sune wch was in full of the execution

Edward mitchelson marshall Gen<sup>ll</sup>

That the Courts Judgment execution therevpon Granted & Returnd w<sup>th</sup> the endorsm<sup>t</sup> of the Catch<sup>s</sup> Apprisement on oath the mar-shalls returne of Satisfisfaction made to y<sup>e</sup> seamen of their wages as also

\* The figures in this account are given as in the record, although they do not agree with each other. It is not possible to explain the discrepancies.

of his sale of the said Catch to the said John keech John Turell &  
 12<sup>th</sup> June 1678 = John ffoster ffor eighty eight pounds & his deteyning  
 the Remainde<sup>r</sup> in his hands till further orde<sup>r</sup> one after  
 the othe<sup>r</sup> stands entred & Recorded word for word in the said Cour<sup>t</sup>  
 of Admiralty booke of Records for such transactions is Attested by  
 Edward Rawson Secre<sup>y</sup>

[9<sup>a</sup>]

1681

Att A County Court held at Salem the 29<sup>th</sup> <sup>4</sup>/<sub>mo</sub> 1680 :

John Broune se<sup>n</sup> Ruling Elde<sup>r</sup> of the church of Salem & Henry  
 Bartholmew merchant ouersee's & feoffees in trust for the children of  
 Robe<sup>t</sup> Grey late deceased plaintiff<sup>s</sup> against Nicholas manning defend-  
 ant in an action of the Case *et* according to Attachment dated the  
 14<sup>th</sup> of June 1680 the Attachment w<sup>th</sup> what other evidences in the Case  
 produced were read Comitted to the Jury and are on file The Jury  
 brought in their virdict they found for the plaintiff<sup>s</sup> the forfeiture of  
 the mortgage viz<sup>t</sup> the house & land mortgaged & Costs of Court —  
 Nicholas Maning the defendant Appeales from this virdict to the nex<sup>t</sup>  
 Court of Assistants & Gaue bond to prosecute *et* = This is a true  
 Coppie — Hilljard veren Cleric = Copia vera. Attes<sup>t</sup> Edward Rawson  
 Secre<sup>t</sup>

Att A Court of Assistants held at Boston 7<sup>th</sup> Septembe<sup>r</sup> 1680

Nicholas Maffing plaintiff<sup>e</sup> on Appeale against John Broune se<sup>n</sup>  
 and Henry Bartholmew deffendants as ouersee's &  
 feoffees in trust as is aboue from the Judgment of the  
 County Court at Salem last After the Attachmen<sup>t</sup>  
 Courts Judgmen<sup>t</sup> reasons of Appeale & evidences in the Case produced  
 were read Comitted to the Jury and are on file with the Reccords of  
 this Court the Jury brought in their virdict they found for the deffend-  
 ant Confirmation of the former Judgment & Costs of Courts two  
 pounds sixteene shillings & fower pence — That this is A true Copie of  
 the Courts Judgment taken out of their Reccords Attests Edward  
 Rawson Secret

To Edward Mitchelson marshall Gennerall or his deputy In his  
 Majjes name yo<sup>r</sup> are Required to extend this execution on the house  
 & land now in possession of Nicholas maning as aboue mentioned in  
 the County Cou<sup>r</sup>t's Judgment as forfeited by his mortgage bearing date  
 14<sup>th</sup> of march 1664 which Judgment is Confirmed by the Court of  
 Assistants as in their Judgment aboue also written being true Copies  
 of said Judgments as Appeares and deliuer vnto the said John Broune

J<sup>n</sup> Broune & Hen  
 Bartholm<sup>e</sup> execu-  
 tion recorded

& Henry Bartholmew ouersee's & trustees as is aboue declared quiet peaceable & full possession thereof together therewith yo<sup>r</sup> are alike required to levy by way of Execution on the Good<sup>e</sup> estate or person of nicholas maning in money fiuety sixe shillings & fowe' pence & deliuer the same w<sup>th</sup> two shillings for this execution to the sajd Jn<sup>o</sup> Broune & Henry Bartholmew as abouesajd and is in sattisfaction of sajd Judgment so Confirmed making you' returne as the law directs hereof yo<sup>r</sup> are no<sup>t</sup> to fajle dated in Boston 22<sup>th</sup> day of Septembe' 1680 By y<sup>e</sup> Court Edward Rawson Secre<sup>t</sup>

By virtue hereof I depute Henry skerry my lawfull deputy for the execution of this warrant Edw<sup>d</sup> mitchelson marshall Gen<sup>l</sup> endo's<sup>t</sup> stands

I went to the house that Nicholas maning had in possession and made demand of the houses and land morgaged by Nicholas Maning and leyed this execution vpon the houses and land and deliuered them to John Broune se<sup>n</sup> and as Henry Bartholmew and gaue him quite\* peaceable and full possession of all the houses and land according to the Tenno<sup>r</sup> of this execution dated this 2<sup>d</sup> day <sup>s.</sup>mo 1680 in full sattisfaction of this execution p me Henry skerry marshall Genne<sup>l</sup>s deputy. unde' writt

I also leyed After demand of the money for Costs and none Could be had on theshoop of nicholas maning<sup>s</sup> for the mony and then wee chose fiue† men

[10<sup>a</sup>]

men Carpende<sup>m</sup> & were then sworne by m<sup>r</sup> Broune assistant of Salem viz<sup>t</sup> Nathaniel Pickman se<sup>n</sup> and John Norton who Aprized it then at

y<sup>e</sup> executiō & Re-  
turne was Returnd  
to me 5<sup>th</sup> Aug<sup>r</sup> 1681  
E R S —

sixe pounds fiuteene shillings mony and I deliuered it to John Broune se<sup>n</sup> and as Henry Bartholmew & gaue to him quite & peaceable possession and the marshalls due is in this shoop according to the tenno<sup>r</sup>

of this execution in full sattisfaction of this execution this 2<sup>d</sup> <sup>s.</sup>mo 1680

wee whose names <sup>^</sup> vnde'written being chosen & sworne  
annext. to Aprise a shop of Nicholas maning Gunsmith wee doe Aprize the shop to be valyed at sixe pounds fiuteen shillings [in] money in the Ground as the shop stands on now

2 octo<sup>b</sup>e' 80

Nath Pickman

John Norton

Taken vpon oath that this Apprizement is true according to our best Judgment before willjam Broune Assistant :

\* quiet ?

† So in the record.

the execution Returne of the marshall Genlls deputy vpon it w<sup>th</sup> the Aprizement on oath ¶ & annex' ¶ as they stand vnde' writ the Courts Judgm<sup>t</sup> one after the other stands here thus entred & Recorded word for word Agreeing w<sup>th</sup> their Originall from y<sup>e</sup> day of its Returne to me vnde'writt i e 5<sup>th</sup> August 1681 in perpetuam rei memoriam at Request of m<sup>r</sup> Henry Bartholmew p Edward Rawson secre'

To Jn<sup>o</sup> Greene marshall Gennerall or his deputy Joseph Webb marshall of Suffolke —

In his Maj<sup>ties</sup> name you are heereby required to levy on the Goods or estate of Barnard Schinking merchant where ev[e]r they may be found or in defect thereof on his sajd three eight parts of the pinck expectation w<sup>th</sup> the Appurtenances thereto belonging to the value of one hundred & eleven pounds thirteen shillings & one penny money and deliuer the same w<sup>th</sup> two shillings for this execution vnto Thomas Gretian marriner & master of sajd Pinke Expectation and is in sattisfaction of a Judgment Granted him for so much by the Court of Assistants sitting in Boston 17<sup>th</sup> Instant as the Ballance of his Account Given into the sajd Court & sworne vnto w<sup>th</sup> his Costs *et* granted him making you<sup>r</sup> returne hereof to the Court as the law directs dated in Boston 25 of June 1681

By the Court Edward Rawson Secre'

on y<sup>e</sup> originall Annex' June 27. 1681.

I extended this execution on the three eights of the ship or Pincke Expectation shewed me to be the estate of m<sup>r</sup> Bernard schinking merchant the whole ship being Apprized by m<sup>r</sup> Jonathan Balston m<sup>r</sup> Timothy Prout se<sup>n</sup> [ & ] m<sup>r</sup> Thomas Moore as p an Inventory of particulars to wch they subscribed their names will Appeare at two hundred & seven pounds two shillings & fower pence three eighths of which amounts to seventy seven pounds thirteen shillings & fowe<sup>r</sup> pence halfe penny and likewise fower pounds fueteene shillings more being the propper estate of sajd schinking distinct from the ship in all amounting to eighty two pounds eight shillings & fower pence halfe penny, and ¶ out of which ¶ deducting forty fower shillings for ffees & charges at the Apprizement there remajns eighty pounds fower shillings & fower pence halfe penny, which estate so Apprized I deliuered vnto thomas Gretian in part sattisfaction of this execution there remayning to compleate the same the sume of thirty one pounds one shilling & eight pence halfe penny.

Joseph webb marshall of Suffolk m<sup>r</sup>shall Genrll deputy

New England 27<sup>th</sup> of August 1681 :

This execution marshalls Returne of its extension & y<sup>e</sup> Aprizement vnde' y<sup>e</sup> three Apprize's hands from y<sup>e</sup> day aboue written when it was Returnd stands thus recorded in the Court of Assistants booke of Reccords as Attests

Edward Rawson Secre<sup>y</sup>

[11<sup>a</sup>]

1681

Annex<sup>t</sup>

wee whose names are herevnto subscribed being chosen & desired by m<sup>r</sup> Thomas Gretian & Joseph webb marshall of suffolke marshall Genneralls deputy in Behalfe of m<sup>r</sup> Barnard schenking merchant & in behalfe of the Country to Apprize some of the estate of sajd m<sup>r</sup> schinking here in New England in orde<sup>r</sup> to the sattisfaction of an execution bearing date 25<sup>th</sup>. June 1681 to value of one hundred & eleven pounds & fueteen shillings & one penny mony as p<sup>p</sup> sajd execution may appeare reference thereto being had, hauing vejwed the Pincke or ship expectation three eights of which Pincke or ship is Affirmed to be sajd m<sup>r</sup> schinkings wee doe value the whole ship as followes w<sup>th</sup> all her Appurtenances — Imp<sup>r</sup>imis The Hull Boat masts " " " yards & standing Rigging as now she ljes 100 — 00 — 00  
 3 Anchors about thirteen hundred weight — — 020 00 00  
 1 sheet Cable 14<sup>c</sup> 2 smalle<sup>r</sup> Cables & an Hauser about 22<sup>c</sup> — — — — — 035 00 00  
 4 smale Guns w<sup>th</sup> Carriages 12 hundred weight — 014 — 00 00  
 2 majn sailes 2 foresajles 2 foretop sajles one }  
 majntop saile 1 mizen about 7 hundred & seventeen } 027 — 02 — 04  
 yards 717 about halfe worne — — — — — }  
 8 C. weight of smale Rigging & blockes  
 more properly his oune particcular estate distinct from 006 00 00  
 the ship . 202 — 02 — 4  
 2 p<sup>r</sup> of Hand screwes being Rusty & old — — 001 — 10 — 00  
 1 Copper Keetle weighing twenty seven pounds 27 001 — 10 — 00  
 1 p<sup>r</sup> stilyards rusty & wanting some fitting — 000 — 10 — 00  
 12 pounds of pewte<sup>r</sup> at 12<sup>d</sup> p<sup>p</sup> li — — — — 000 — 19 — 00  
 27<sup>th</sup> June 81 206 — 11 — 4

Jonathan Balston

Timothy Prout sen<sup>d</sup>

Tho moore

Jonathan Balston Timothy Prout and Thomas Moore gaue in this

Apprizement of the Pincke expectation vpon oath before me Symon Bradstreet Goũno'. =

More since taken notice of belonging to the ship	
6 muskets & 1 smale fowling peece 3 sword blades	} 05 = 00 — 00
2 Crowes of Iron 1 deep sea lead 1 sounding lead 5	
compasses halfe doz <sup>n</sup> Glasses a Cross cutt saw	
valued by the above named Gentlemen at — —	
belonging to m <sup>r</sup> schinking 1 Iron pot & on	} 6 <sup>s</sup>
old stewpan at	
recorded as on y <sup>e</sup> oth <sup>r</sup> side	

[12<sup>a</sup>]

Att A County Court held at Boston 27<sup>th</sup> July 1680.

W<sup>m</sup> Hollowell Ju<sup>n</sup> Benjamin Hollowell & Edward Ashley who married mary Hollowell or their lawfull Attorney plaintiffs Cont<sup>ra</sup> Stephen Butler se<sup>n</sup> deffend<sup>us</sup> in an Accon of Revejw of an action Comenced & prosecuted by the now plaintiff<sup>s</sup> ag<sup>t</sup> the sajd Stephen Butler at a County Court in Boston in July last for w<sup>th</sup>holding (und<sup>r</sup> pretence of right by execcutorship to Mary ward late wife to Benjamin ward & othe<sup>r</sup> false p<sup>r</sup>tences, an estate to the value of fower hundred pounds or thereabouts which did belong vnto Benjamin ward aforesajd and now is the proper right of the plan<sup>ts</sup> who are the right & vndoubted heires of sajd Benjamin ward & a according to Attachm<sup>t</sup> the Attachment & evidences in the Case produced being read & Comitted to the Jury wch are on file the Jury brought in their virdict they found for the plaintiff<sup>s</sup> the houses & lands & appurtenances therevnto belonging sued for & Costs of Court The Deffend<sup>t</sup> Appealed from this Judgmen<sup>t</sup> vnto the nex<sup>t</sup> Court of Assistants & Gaue bond for prosecution to effect This is A true Copie as Attests Is<sup>a</sup> Addington Cler. Copia vera Attests Edw<sup>d</sup> Rawson Secre<sup>t</sup>

Att A Court of Assistants sitting in Boston 7<sup>th</sup> 7ber 1680

Stephen Butler plaintiff<sup>s</sup> ag<sup>t</sup> w<sup>m</sup> Hollowell Ju<sup>n</sup> Benj. Hollowell & Edward Ashley deffend<sup>us</sup> in an Action of Appeale from the Judgment of the County Court in Boston After the Attachment Courts Judgment Reasons of Appeale & evidences in the Case produced were read Comitted to the Jury & are on file w<sup>th</sup> the Reccords of this Court the Jury brought in their virdict they found for the deffendants Confirmation of the forme<sup>r</sup> Judgment & Costs of Courts sixe pounds sixe shillings =

Copia vera Attests Edw<sup>d</sup> Rawson Secret



To Edward Mitchelson marshall Gennerall

In his Maj'ties name yo<sup>r</sup> are required to levy by way of Execution on the houses lands and Appurtenances thereto belonging || as || in the Judgment of the County Court aboue written and is there exprest and also in Costs in mony from stephen Butler the sume of sixe pounds sixe shillings and deliuer the same w<sup>th</sup> two shillings for this Execution to w<sup>m</sup> Hollowell Benjamin Hollowell & Edward Ashley or their Atturney and is in sattisfaction of the Judgment of the Court of Assistants sitting in Boston the 7<sup>th</sup> of September last Confirming the same making you<sup>r</sup> returne as the law directes dated in Boston this 9<sup>th</sup> of Novembe<sup>r</sup> 1680.

By the Court Edward Rawson Secre<sup>t</sup>

To Jn<sup>o</sup> Greene marshall Genll, or his deputy

In his Maj'ties name yo<sup>r</sup> are Required to levy by way of Execution on the houses & lands yet remayning & not Completed w<sup>th</sup> the Costs according to the Judgment of the County Court & Court of Assistants as aboue exprest lately belonging to Benjamin ward deceased e<sup>r</sup> and deliuer the same w<sup>th</sup> two shillings for this execution to the Aboue mentioned Hollowells e<sup>r</sup> or their Atturney m<sup>r</sup> Anthony cheekley as sattisfaction to the || sd || Judgments making your returne as the law directes & not faje Dated in Boston 1<sup>st</sup> of August 1681

By the Court Edward Rawson Secret

I hereby depute marshall Returne wayte

to extend this execution August 2, 1681

Jn<sup>o</sup> Greene marshall Genn<sup>ll</sup>

[13<sup>a</sup>]

Nouembe<sup>r</sup> 12<sup>th</sup> 1680.

I extended this execution on the house & Ground where Roger Browne now liueth w<sup>th</sup> all the appurtenances thereto belonging or Apperteyning as also vpon the house & Ground where willjam Robbins now liueth with all Appurtenances || & priueledges || thereto belonging as also vpon the halfe of an orchard Adjoyning to m<sup>r</sup> Nathaniel Olliuers ground also vpon a slip of Ground Runing doune from the orchard to the Corner of stephen Butlers dwelling house which ljeth w<sup>th</sup> in the fence also vpon the halfe of a smith<sup>s</sup> shop in the occupation of w<sup>m</sup> Robbins also vpon a part of a wharfe lying on the north west side of willjam Hollowells ware house also vpon the Ground that Thomas Smith<sup>s</sup> shop stands vpon & deliuered possession of all the before mentioned premisses vnto m<sup>r</sup> Anthony cheekley Atturney to w<sup>m</sup> Hollowell Ju<sup>n</sup> Benja<sup>n</sup>: Hollowell & Edward Ashley that Is to say I

extended this execution vpon all the houses & lands Intended in the same except a house wch was Benja<sup>n</sup> wards dwelling house, which stephen Butler Jun<sup>d</sup> his wife Inhabitts and kept possession of being big w<sup>th</sup> Child I was desired not to eject hir in that Condition also I haue not extended for the Costs

Return Way<sup>t</sup> marshall Gen<sup>l</sup> deputy

This Returne was made by Return wayt 25 July 1681

August 14<sup>th</sup> 1681.

I extended this execution on the house and land formerly belonging to Benja<sup>n</sup> ward dece<sup>d</sup> which Jacob wilkinson lately liued in according to the Judgment of the County Court & Court of Assistants as aboue exprest & deli<sup>u</sup><sup>d</sup> the same to m<sup>r</sup> Anthony checkley Attur<sup>n</sup>je to w<sup>m</sup> Hollowell Benja<sup>n</sup> Hollowell & Edward Ashley & for Costs of Courts I extended this execution on the person of Stephen Butler sen<sup>d</sup> and for want of money to sattisfy haue Comitted him to prison marshalls fees two pounds ten shillings in all nine pounds. Returne wayt marshall Genneralls deputy

This Execution & marshalls Returnes stands thus entred & Recorded in the Courts Booke of Reccords for executions word for word Agreeing w<sup>th</sup> the originall on file this 17<sup>th</sup> of octobe<sup>r</sup> 1681 as Attests Edw<sup>d</sup> Rawson Secrety

Att A Court of Assistants or Admiralty held at Boston 2<sup>d</sup> January 1678 Henry wheeler late master of the ship recouery in behalfe of himself & owno's by his libell & complaint exhibbited to this Court bearing date 28<sup>th</sup> of Decembe<sup>r</sup> 1678 & then given in plaintiff against m<sup>r</sup> Anthony checkly and Lyddea his wife formerly the wife of the late Benjamin Gibbs & Administratrix to his estate defendant In an action of the Case largely e[x]prest in the aboue mentioned libell and is for not sattisfying him for the tyme of the sajd shipp Recouery for eight monet<sup>h</sup> and one third of a moneth at thirty five pounds p<sup>r</sup> moneth which amounts to two hundred ninety one pounds thirteene [14<sup>s</sup>]

shillings and fowe<sup>r</sup> pence, as also for charges and disbursments and what one recouered for his wages as in the sajd ljb<sup>l</sup>ell is exprest as by sajd wheele's oath on file After the Attachment and evidences in the Case produced were read and duely Considered of The Court declared they Adjudged and did order and decree for the plaintiffe after the deduction of the late Benjamin Gibbs his creddit the sume of three hundred fuety six pounds fueteene shilling<sup>s</sup> & || eleven penc || in

money and Costs of Court five pounds nineteen shillings & six pence ||  
 In the whole three hundred sixty two pounds 15 05<sup>d</sup> ||  
 estate mōy \* out of the estate of the late Benjamin Gibbs =  
 That this is a true Copie taken out of the Courts Records Attests  
 Edward Rawson secret

To Edward mitchelson marshall Gennerall or in  
 vnd-writt his absence to the marshall of the County of Suffolke

In his majtjes name yo<sup>r</sup> are Required to levy by way of Execution  
 on the Goods or estate of the late Benjamin Gibbs in the hands of Lyddia  
 his relict or Administratrix to the said Benjamin Gibbs his estate as in  
 the Copie of the Court of Assistants or Admiralty<sup>s</sup> Judgment or decree  
 aboue exprest in all exprests † the sume of three <sup>h</sup> sixty two pounds  
 futeene shillings and five pence in mony and deliuer the same with two  
 shillings for this execution to Henry wheeler late master of the ship  
 Recouery in behalfe of himself and ouno's as aboue is exprest and is in  
 satisfaction of the aboue mentioned Courts Judgment & decree hereof  
 yow are not to fajle making you<sup>r</sup> Returne as the law directs dated in  
 Boston this 4<sup>th</sup> day of January 1678

By the Court Edward Rawson Secre<sup>t</sup>

endorst

January 4 & 24: 1678

This execution was extended on the estate of m<sup>r</sup> Benjamin Gibbs  
 in the hands of m<sup>r</sup> Anthony checkley who married Lydea relict & Admins-  
 tratrix to the estate of the late Benjamin Gibbs to value of two hundred  
 & nine || pounds || as may Appeare by the seuerall Invoyses of said Goods  
 wch Goods were shewed me and ouned by m<sup>r</sup> checkley & his wife

[15<sup>a</sup>]

to belong to said Gibbs estate and the same was deliuered to m<sup>r</sup> James  
 Barton p order & and as Attorney of Henry wheeler <sup>h</sup> onely since the  
 Invoyses & deliury a pewter still valued at 1<sup>h</sup> 5<sup>s</sup> was returned and  
 thirty shillings for a Porringer and twelue shillings for a great chaire  
 not yet paid) by virtue of this execution p Joseph Webb marshall of  
 suffolke

I Received of m<sup>r</sup> Barton 35<sup>s</sup> in p<sup>te</sup> of fees

I leveyed vpon m<sup>r</sup> Gibbs out wharfes valued at one hundred & nine  
 pounds twelue shillings as p Invoyce and deliuered them to m<sup>r</sup> James  
 Barton as aboue

Joseph webb marshall

\* Money?

† respects?

Wee whose names are vnderwritten being chosen by m<sup>r</sup> James Barton as Attorney to Henry wheeler & m<sup>r</sup> Anthony checkley as he married Lyddia administratrix to the estate of m<sup>r</sup> Benjamin Gibbs deceased & Joseph webb marshall of Suffolke as Apprise's of Certeine Goods in order to the sattisfaction of an Execution obteyned on sajd Judgment bearing date January 4<sup>th</sup> 1678 the Goods presented to us January 14<sup>th</sup> 1678 wee Apprized as follows

It 1 scripture somewhat broken 7 <sup>u</sup> 13 Turkey }	
wrought chaires at 7 <sup>s</sup> 6 <sup>d</sup> p <sup>r</sup> peece 4. 17. 6 }	11 — 17 — 06
It 6 Red chaires at 6 <sup>s</sup> 6 apeece 1 <sup>u</sup> 19 : [10]* And-	
Irons at 5 <sup>u</sup> 10 — — — — — — —	07 — 09 — 00
It 4 Tables at 4 <sup>u</sup> = 1 round Table at 1 <sup>u</sup> = 1 look-	
ing Glass w <sup>th</sup> the brasses 2 <sup>u</sup> — — — — —	07 — 00 — 00
It 1 map or Globe of y <sup>e</sup> world 1 <sup>u</sup> = 10 pewter	
platters & 11 plates & smale dishes    [at 63 <sup>d</sup> p <sup>r</sup> 17 <sup>u</sup> ]	
4 <sup>u</sup> = 3 <sup>s</sup>	05 — 03 — 05
It 3 Candlesticks & sockets : 15 <sup>s</sup> = 1 Cubbord	
15 <sup>s</sup> 1 Iron ba[lke ?] at 15 <sup>s</sup> . — — — — —	02 — 05 — 00
1 Turkey wrought Carpet at 2 <sup>u</sup> = 10 <sup>s</sup> 6 searge	
chaires at 6 <sup>s</sup> 6 <sup>d</sup> apeece 2 stooles at 4 <sup>s</sup> 6 <sup>d</sup>	04 — 18 — 00
It 1 bed boulster bedstead greene silke quilt	
Curtains & valliants bed tester & [gu]ilt head [peec]	15 — 00 — 00
It 4 searg chaires at 7 <sup>s</sup> . 6 <sup>d</sup> & 2 stooles 5 <sup>s</sup> apeece	
2 <sup>u</sup> { 1 [Gu]ilt couch 3 <sup>u</sup> — — — — —	05 — 00 — 00
It 1 dutch table 18 <sup>s</sup> 1 looking Glasse 15 1	
scriptor & a little table vnd <sup>r</sup> it at 6 <sup>u</sup> — — — —	07 — 13 — 00
It 6 turky wrought chajres [C]R at 14 <sup>s</sup> a peece	
04 <sup>u</sup> . 4 <sup>s</sup> = 2 p <sup>r</sup> AndIrons at 1 <sup>u</sup> . 15 <sup>s</sup>	05 — 19 — 00
It 6 [peñd†] Turkey wrought chajres at 10 <sup>s</sup>	
apeece — — — — — — — — —	03 — 00 — 00
1 square bed 1 suite of white Curtejnes 1 suite	
of searg Curtains w <sup>th</sup> Goulden & sad Coulored }	16 — 00 — 00
freings whiting & blankets & bed steed — — — }	
It 1 Ciprus chest at — — — — — — —	02 — 00 — 00
It 1 negro man named Hecto <sup>r</sup> — — — — —	35

131 — 04 — 00†

John woodmansey

Ephraim Sauage

Robe<sup>t</sup> Sedgwicke

\* Or "to."

† Or "prud."

‡ The total does not agree with the items.

m<sup>r</sup> Jn<sup>o</sup> Woodmansey m<sup>r</sup> Ephraim Sauage & m<sup>r</sup> Robe<sup>t</sup> Sedgwicke being chosen Apprize's of the estate aboue mentioned did make oath that setting aside all sinister respects they haue Apprised as aboue to the value & is mony to the best of their vnde'standings sworne vnto Jan<sup>o</sup>. 14 1678 before me Edward Tyng Ass<sup>t</sup>.

Janu'y 14 1678

Annex<sup>t</sup> Boston 22<sup>d</sup> January 1678

wee whose names are vnde<sup>r</sup> written being chosen and sworne before Capt Thomas Brattle on the day and yeare aboue written to Apprize the draw bridge in Boston and [16<sup>a</sup>]

shop Joyning to it which shop is in the occupation of Henry messenger w<sup>th</sup> any other shop or priuiledge belonging to sajd Bridge which priueledg may Apppeare further refference being had to a deed vnde<sup>r</sup> the hand & seale of Joshua Scotto to Benja: Gibbs which deed beares date the twenty sixth day of february one thousand sixe hundred seventy & fower doe Apprise the sajd Bridge shop<sup>a</sup> and priuiledges e<sup>r</sup> at thirty pounds mony as wittnes our hands =

Edward Lilly

Nathaniel Greenwood —

Drawbridge at 30<sup>u</sup>

Invoyce of Goods at Benjamin Gibbs house taken on Execution and Apprized January 23, 1678 p m<sup>r</sup> woodmansey and m<sup>r</sup> Ephrajm Sauage and m<sup>r</sup> Robert Sedgwicke sworne before the wo<sup>r</sup>p<sup>ff</sup> Edward Tyng Esq<sup>r</sup> Asistant

			u	s	d
Imprimis	1 great kettl at 18 <sup>d</sup>	p <sup>u</sup> 46 <sup>u</sup>	—	—	03 — 09 — 00
seuerall peices of pewter	at 13 <sup>d</sup>	p <sup>u</sup> . 64 <sup>u</sup>	—	—	03 — 09 — 04
10 Caster Hatts for weomen & men	at 6 <sup>s</sup>	p peece	03	—	00 — 00
29 felts hatts old fashion	at 2 <sup>s</sup> — 6 <sup>d</sup>	p peice	—	03	— 12 — 06
1 pewter still bottom & Iron	—	—	—	01	— 05 — 00
1 pewter server at	—	—	—	00	— 15 — 00
6 netts	—	—	—	06	— 00 — 00
1 handchech'erfe box w <sup>th</sup> frame	—	—	—	00	— 08 — 00
1 bedsteed old fashion	—	—	—	01	— 10 — 00
1 wainscot chest	—	—	—	01	— 05 — 00
48 y <sup>rd</sup> s of thread sattjn at 3 <sup>s</sup>	p y <sup>rd</sup>	—	—	07	— 04 — 00
A parcell of lace Galloone & hatt ljnings &c	—	—	—	06	— 00 — 00
1 siluer porringer at 30 <sup>s</sup>	—	—	—	01	— 10 — 00
14 y <sup>rd</sup> s of dyaper at 3 <sup>s</sup>	p y <sup>rd</sup>	—	—	02	03 06

[17<sup>a</sup>]

1 great Red chajre at 00 12 00  
 some sajles that m<sup>r</sup> Barton shewed me to belonged  
 to said estate valued in the Inventory at 6<sup>u</sup> or there- 42. 03. 04  
 abouts which sajles were after Replevied by m<sup>r</sup>  
 Anthony checkley

Attested p Joseph webb marshall Boston 10<sup>th</sup> of  
 January 1678 131. 04. 11  
 42. 03. 9  
 wee whose names are vnde'written being chosen 30. 00. 0

by m<sup>r</sup> James Barton & marshall Joseph webb to  
 Apprize an estate shewed vs to be belonging formerly 203. 08 [8]  
 to m<sup>r</sup> Bejami Gibbs now deceased there being a parcell  
 of wharfing p'sented to us viz' fluty fowe' foote of an outward wharfe  
 w<sup>th</sup> wharfe wee doe apprize at thirty two shilling<sup>a</sup> p foote & eighteen  
 foot of wharfe joyning to a parcell of wharfe of m<sup>r</sup> Edward shippens  
 w<sup>th</sup> s<sup>d</sup> eighteen foote of wharfe being in that Capacitje that now Its  
 wanting neere three foote of its hight the which eighteen foot wee doe  
 Apprize at twenty six shillings p ffoote as wittnes our hand —

Edward Lillje

Nathaniel Greenwood

That the Copie of the Court of Assistants & Admiralty<sup>a</sup> Judgment  
 in the Case then trjed in Boston 2<sup>d</sup> January 1678 betweene Henry  
 wheeler plaintiffe against m<sup>r</sup> Anthony Checkley & Lydja his wife (late  
 wife to Cap<sup>t</sup> Benjamin Gibbs deceased and Administratrix to his estate)  
 w<sup>th</sup> the Copie of the execution on that Judgment marshalls Returne  
 therevpon w<sup>th</sup> the Apprise's Apprisement of the seuerall parcells of  
 Goods on their oathes w<sup>th</sup> y<sup>e</sup> seuerall Invoyses thereof annexed therevnto  
 at the request of m<sup>r</sup> James Barton Attorney to said Henry wheeler so  
 signed stands thus entred & recorded in the Court of Assistants booke  
 of Records for executions word for word Agreeing with the originalls  
 on file this 27<sup>th</sup> of Decemb<sup>r</sup> \* [1684] as Attests Edward Rawson Secre<sup>v</sup>

Att A County Court held at Boston 29<sup>o</sup> July 1684

Ann sheffeld alj<sup>a</sup> Perry || plt || Conta Joseph Homes of Boston  
 defendant in an Action of the Case for that the said Homes hath pos-  
 sessed himsele in, & doth refuse to give hir possession of a parcell of  
 land and building thereon lying at the South end of Boston neere the  
 windmill point which of right doth belong to the plainti<sup>ff</sup> it being lately

\* Written over January.

hir husband sheffields deceased letters of Adminstration being Granted to the plaintiffe with all due damages. The Attachment and evidences in the case produced being read and Committed to the Jury

[18<sup>a</sup>]

1684

which are on file the Jury brought in their virdict they found for the plaintiff possession of the house and land sued for & costs of Court—  
Copia vera Attes<sup>a</sup> Is<sup>a</sup> Addington cler. —

Copia vera Attes<sup>a</sup> Edward Rawson Secre<sup>t</sup>

The deffendant Appealed from this Judgment to the nex<sup>t</sup> Court of Assistants in Septembe<sup>r</sup> ffollowing where that Case was trjed and Judgment passed i: e Confirmation of the County Courts Judgmēt from which sajd Judgment Joseph Homes the deffendant by Attaint carrjed the Case to the Court of Assistants to be held in Boston the third of march Instan<sup>t</sup>, where the case was trjed and alike — Confirmation of the sajd County Courts Judgment as aboue as is Attested p Edward Rawson Secrety

Copia vera Attes<sup>a</sup> Edw<sup>d</sup> Rawson Secre<sup>t</sup>

To John Greene marshall Generall or his lawfull deputy

Yow are heereby Required in his Maj<sup>ty</sup> name to Giue possession of the house and land mentioned in the County Courts Judgment a true Copie whereof is aboue written <sup>^</sup> which hath been Confirmed by both Courts of Assistants aboue also Certified and declared) to the aboue mentioned Ann sheffield Aljas Perry as she is Administratrix of hir late husband sheffields estate as also to levy on his estate or person in mony the sume of two pounds thirteen shillings for Costs of Courts and deliuer the same with two shillings more for this execution or in want of mony for sajd Costs to satisfy the sajd Ann Perry alja<sup>s</sup> sheffield yow are alike required to seize the person of the sajd Homes [sen<sup>r</sup>.] and him Comitt vnto the safe keeping of the prison keeper in Boston vntill he make payment according to this execution or othe<sup>r</sup> wise be released by the sajd Perry aljas sheffield or by order of lawe hereof fajle not as yow will answer the Contrary at you<sup>r</sup> Perrill

[19<sup>a</sup>]

1684

and make returne of your doings herein vnde<sup>r</sup> your hand as the law directs for which this shall be you<sup>r</sup> sufficyent warrant dated in Boston 7<sup>th</sup> march 1684 p Curiam Edward Rawson secre<sup>t</sup>

Copia vera Attes<sup>a</sup> Edward Rawson secre<sup>t</sup>

[i]ndorst

7<sup>th</sup> march 1684

I haue Giuen possession of the house and lands vnto Ann Perry in all respects according to the execution and Judgment of the Courts w<sup>th</sup> in here expressed: I also levyed this execution vpon the mony of Joseph Homes the sume of two pounds fiuteene shilling<sup>s</sup> mony w<sup>th</sup> two shillings for my ffes and deliuer the sajd mony vnto Ann Perry =

John Greene marshall Genll

That what is here entred & stands Recorded from the true Copies & originall Attachment Courts Judgments execution therevpon & marshall Generalls Returne therevpon in this & the other two foregoing paiges is thus Recorded in the Court of Assistants booke of Records word for word Agreeing therew<sup>th</sup> on Request of sajd Ann Perry  
 c<sup>r</sup> | 16 may 1685 | is Attested by Edward Rawson Secre<sup>v</sup>

To the marshall Gennerall John Greene or his deputy

In his Majtjes name yo<sup>r</sup> are required to levy by way of execution the Goods estate or person of Richard Downing (in Case) in mony three pounds nineteene shillings & sixe pence and deliuer the same [with two shillings] for this execution to Joseph Boober as Costs as also the house & land in controuersy according to Attachment c<sup>r</sup> and is in sattisfaction of the Judgment of the Court of Assistants sitting in Boston 2<sup>d</sup> Septembe<sup>r</sup> 1684 making yo<sup>r</sup> Returne hereof to the Court as the law directs dated in Boston the ninth day of september 1684 By the Court Edward Rawson secre<sup>t</sup>

vnd<sup>r</sup> writt I doe Assigne & Impower marshall skerry of Salem to be my lawfull deputy to levy this execution as wittnes my hand this tenth day of September 1684: John Greene marshall Generall

I Recd: as part of y<sup>e</sup> ffes of Jone Boober three shillings then doe yo<sup>r</sup> demand the whole endorst this 27<sup>th</sup> of September 1684 =

I levyed this execution before vpon the house & land all of it that was John Bennets which I deliuered the house & land to Joseph Booby by turfe & twigg & gaue to them quiet possession w<sup>th</sup> all the priuiledges & Appurtenances belonging to it the house & land that Richard Downing liued then ~~levyed~~ in according to the Attachment also I levjed in mony of Richard Dounings fowe<sup>r</sup> pounds one shilling & deliuered it to Joseph Booby & his wife to the full sattisfaction of this execution as for them p me Henry skerry marshall

this execution & returne stands thus here entred & Recorded 4<sup>th</sup> Septembe<sup>r</sup> 1685 at Request of Joan Booby wife to Joseph Booby As Attests

Edw: Rawson secret



[20<sup>a</sup>]

1685

To John Greene marshall Gennerall or his Deputy

You are Required in his Maj'ties name by virtue hereof to levy in Execution of the money of Thomas || Baker || & John Baker or either of them the some of ninety Nine pounds fower shillings and eight pence with two shillings more for this execution, and deliuer the same to Edward Hundlocke or his order which is to sattisfy a Judgment, ~~granted & confirmed to him y<sup>e</sup> sd Edward Hundlocke or his order which is to sattisfy a Judgment~~ granted & Confirmed to him the said Edward Hundlocke, ~~or his order which is to sattisfy a Judgment~~. || recovered at the Court of Assistants Sitting || in Boston the first of this Instant September in money and for want of money or other estate of the said Thomas and John Baker or either of them you are alike required to seize the person or persons of the said Thomas and John Baker or either of them, and him or them to Comitt to the safe keeping of the prison keeper in Boston vntil the said Thomas and John Baker or either of them, make payment according to this execution, or otherwise be released by the said Hundlocke, or by order of law,\* hereof fayle not as yow will Answer the Contrary at your perrill and make returne of your doings herein vnde' your hand as the law directs for which this shall be you' sufficient warrant dated in Boston this sixteenth day of September 1685

Hundlocks execu-  
tion ag' Tho. & Jn<sup>r</sup>  
Baker c<sup>r</sup>

By the Court Edward Rawson Secret

This is A true copie of the originall execution Attests Edwd Rawson secre<sup>ty</sup>

September the 21<sup>th</sup> 1685

endorst

I have levyed this execution on the house and land of Thomas Baker sittuate lying and being in Boston in the lane Commonly Called Hudson<sup>s</sup> lane or wing lane and

[21<sup>a</sup>]

1685

is bounded easterly by the land of || m<sup>r</sup> || Symon Lynde by the lane on the front southerly by the house and land now in the tenure and occupation of w<sup>m</sup> Parsons westerly; by the new End of said Bake's house northerly to say the old end of said house to the midle of the chimney<sup>s</sup> with the land whereon it stands measuring from the midle of the chimney<sup>s</sup> to the southerly Corner of the house about twenty three foote more or less, thence to the street twenty three foote foure Inches and fifteen foote front to the lane besides the Gate way,

\* This caret mark is in the original record.

And I also levied on a kitchin on the easterly side of said house being about sixteene foote fowe' Inches long and twelue foote and three Inches broad with the land on which it standeth and also the land raining from the N. west Corner of said kitchin to the reare of said Bakers land measuring about two foote there from the corner next m' Lynes land and so from the south west Corner of the ¶ s<sup>d</sup> ¶ kitchin all the land on a streight lne to the Gate way reserving a passage way for the vse and bennefit of both houses vizt the house now levied vpon and the new end of said Bake's house which house and land so butted and bounded and measuring as aboue was apprized by m' Joseph Townsend and m' Joseph Homes: —

[then] chosen \* by m' Edward Hundlocke Thomas Baker & myself at one hundred and two pounds ¶ money ¶ being the house & land John Cotta Constable of Boston attached by said Bake's order to respond the Judgment and I deliuered possession of the premisses to m' Edward Hundlock he paying me my fees forty shillings with other charges John Greene marshall Generall

This is a true Copie of y<sup>e</sup> marshall Genlls Returne Attests Edw<sup>d</sup> Rawson secret

vnde<sup>r</sup> writ as endorst

[22<sup>a</sup>]

1685

Wee the subscribe's willjam Parson<sup>s</sup> Joseph Tounesend and Joseph Homes being chosen by m' Edward Hunlock m' Thomas Bake<sup>r</sup> and the marshall Generall to Apprise an house and land of Thomas Bakers to sattisfy an Execution of m' Hunlocks against Thomas Baker and John Baker or either of them for ninety nine pounds sixe shillings and eight pence whith † marshalls fees and other charges to value of one hundred and two pounds wee hauing vejwed the said house and land situate lying and being in the lane Comonly Called Hudsons lane, or wings lane, shewed us to be the estate of Thomas Baker and was

Attached by the Constable of Boston; in our presents Appriaement [e<sup>r</sup>]

Affirming that to be the estate he Attached to Answer the Complaint of said Hunlock wee doe Apprize the front par<sup>t</sup> of the house viz<sup>t</sup> the Old part to the middle of the Chimney<sup>s</sup> with the land whereon it stands measuring about two and twenty ffoote to the Corne<sup>r</sup> of the house and also the land betweene said house and the lane also a smale kitchin about sixteen foote long and about twelue ffoote and fower Inches wide being and lying on the easterly side of y<sup>e</sup> said house with the land whereon it stands and a slip of land from the northwest

\* Written over "that were."

† with?

Corner of said kitchin on a streight lne to the reare of said Bakers land it measuring there about two foote, it being about thirty nine foote from the reare to the kitchin also a slip of land runing from the sout west corner of said kitchin on a streight lne to the Gate reserv- ing the passage way for the vse of both parts of said houses the part so prized and that remajnes said Bake's wee Aprize the premisses at one hundred and two pounds money wittness our hands this one and twentjeth day of Septembe' 1685

Joseph Tounsend  
Josep Homes

Boston 24<sup>o</sup> october 1685

vnde' writ &

annex<sup>i</sup> as endorst

[23<sup>a</sup>]

1685

Aprizes oath

Joseph Tounsend and Joseph Homes two of the Apprize's appearing made oath that the aboue written is a Just and true and æquall Apprizement of the estate therein specified according to their best Judgment and Conscience without any partiality or sinister respects Jurat Cor<sup>d</sup> Isa. Addington Comission<sup>r</sup>.

This is A true Coppy of the Aprisement so signed & y<sup>r</sup>e oath<sup>r</sup> therevpon

Attests Edward Rawson Secre<sup>t</sup>

29 octobe' 1685

That the Execution marshall Generalls extention and deliury thereof are truely word for word Compared w<sup>th</sup> the originalls & Aprise- ment as aboue one after the other || & || stands thus recorded in the Court of Assistants booke of Records for executions so signed at the request of m<sup>r</sup> Edward Hunlocke; being therew<sup>th</sup> Compared & is on file Attests this 29<sup>th</sup> day of octobe' 1685 Edw<sup>d</sup> Rawson se<sup>c</sup>ret

To John Greene marshall Generall

yow are Required in his Maj<sup>t</sup>ies name by virtue hereof to levy on the ketch freindship of Boston hir tackle Apparrell & furniture with all hir appurtenances to value in mony the sume of eighty sixe pounds seven shillings in these seuerall sumes with two shillings more for this execution and deliuer the same in these seuerall sumes i: e to Andrew Elljot late master of the said Catch in behalfe of himselfe & charles Driuer mate, Abraham Avis & Joseph mosse marrine's and John Avant Boy for their seuerall wages granted to them for their seuerall seruices in said ketch for eight moneths & twenty fower dayes each of them and is to said Andrew Elljot thirty fve pounds fower shillings for his

tjme after fower pounds p moneth To charles driuer eighteen pounds  
 eighteene shillings for his service To Abraham Avis for his wages for  
 like time twelve pounds sixteene shillings and to Joseph mosse for his  
 wages for like time twelue pounds seventeene shillings and to John Avant  
 Cabbin boy for his wages for like time sixe pounds twelue shillings  
 as

[24.]

1686

as per portlidge bill given in and sworne to In Court (three pounds  
 one shilling excepted) to be deducted out of the wages of charles Driver  
 & Abraham Avis wages in the whole eighty six pounds sixteene  
 shillings the costs of Court Included making your returne of you<sup>r</sup> doing<sup>a</sup>  
 heerein vnder your hand as the law directs for which this shall be your  
 sufficient warrant Dated in Boston the 14<sup>th</sup> of may 1686

By the Court Edward Rawson secret

Stands Indorst

wee whose names are vnderwritten being chosen to prize the Ketch  
 ffreindship Burdened about thirty tunns desired by the marshall  
 Gennerall & m<sup>r</sup> Jarvis Ballard m<sup>r</sup> Bolens Atturney & the master of the  
 said Catch Andrew Elliott shewed by the marshall Gennerall which he  
 levelled \* vpon by virtue of an execution dated the 14<sup>th</sup> of may 1686,  
 which said ketch with her boate tackling furniture & Apparrell & all  
 other Appurtinances at seuenty eight pounds Current money of new  
 England as wittness our hands this 19<sup>th</sup> day of may 1686

willjam ffoster  
 micaell Shuite  
 Samuell Greenow

vnde'writ 19<sup>th</sup> may 1686

I Levjed this within execution vpon the ketch ffreindship & Andrew  
 Elliot was Comander as with hir tacklings Apparrell furniture and  
 Boat Ancho's Cables with said ketch and all hir Appurtenances was  
 Aprised by persons legally chosen and said ketch with all hir Appur-  
 tenances I deliuered vnto Andrew Elljot at seventy eight pounds mony  
 to pay the men according to theire proportion and said master and  
 mate

John Green marshall Generall

That this execution on the othe<sup>r</sup> side and the Appraisement with  
 the marshall Generalls extention & deliury of the ketch freindship w<sup>th</sup>  
 hir boate Ancho's tacklings apparrell And Appurtenances vnto the said  
 Andrew elljot late maste<sup>r</sup> of the said vessell for the ends & vses therein

---

\* Error in the record for "levied" ?

express & so signed stands here thus recorded word for word Compared  
w<sup>th</sup> the originall left on file from y<sup>e</sup> said 14<sup>th</sup> of may & 19<sup>th</sup> of said may  
at request of said Elliot Attests

Edward Rawson secret

*[Between this page [24<sup>e</sup>] of the record of executions and the last  
page [271] of the other part, the record of the Court there are nine  
blank pages, except that on one of them is written in an ancient hand  
"Boston Jan<sup>y</sup> 2 1650."]*



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